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THE LEAGUE'S BUSINESS

RESERVE THESE DATES ON YOUR CALENDAR

The National Conference on Government will be held this year November 10-12 at the Hotel Statler, Cleveland, Ohio. The following organizations will participate:

National Municipal League
Governmental Research Association
National Association of Civic Secretaries
Proportional Representation League
American Legislators' Association
Ohio State Conference on City Planning
Ohio Municipal League

PROGRAM SUBJECTS

Among the significant subjects which will be discussed by outstanding authorities are the following:

The City's Part in Preventing Unemployment

A particularly timely subject to which municipal officials and researchers are going to have to give increasing attention. Among the interesting phases of this question which will be considered is the serious problem of adjusting a long-term budget program to industrial conditions. Shall the program be thrown out of the window every time a depression comes along? If not, what can be done about it?

The City Manager Plan Under the X-Ray

The manager plan has been growing steadily since its inception 22 years ago. What defects has experience shown up? Is the manager plan the last word in city government?

Revamping County Government

The toughest job in all governmental reform lies ahead—county government. There are numerous distinct problems here: how to meet the demands of metropolitan communities; how to meet the demands of rural communities. These and other questions will be discussed pro and con.

What Is Wrong With State Government?

States throughout the union are looking at their administrative organizations and are dissatisfied. Survey after survey is being made to discover the trouble and apply a remedy. Just what is the matter and what can be done about it?

These are only a sample of the acute and up-to-the-minute questions that will be discussed at Cleveland.

**DON'T MISS THIS SIGNIFICANT MEETING—MARK YOUR
CALENDAR NOW!**

RUSSELL FORBES, *Secretary.*

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EDITORIAL COMMENT

The September issue of the *American City* marked the twenty-first birthday of this well-known magazine. Under the able editorship of Harold S. Buttenheim, it has come to be a national authority on municipal administration, as well as a recognized champion of progressive and reform measures. The September number contains many articles reviewing the municipal history of the past twenty-one years in all its phases.

*

Readers of the NATIONAL MUNICIPAL REVIEW will do well to watch the British Institute of Public Administration, whose 1930 Conference, held at Oxford in July, is reported by Dr. Egger in his department in this issue on Municipal Activities Abroad. There is no organization in the United States which is the exact parallel of the British Institute. As explained by Mr. Woodruff in the August REVIEW, the Institute exists for the development of public service as a profession and for the study of public administration in all its relations. It is composed of members of the civil service and its interests and scope correspond more closely to the governmental research movement than to any other organized activity in this country. With us the science of administration is being developed largely outside officialdom; in England the reverse is true.

The United States was represented at the Oxford Conference in the persons of Professor John A. Fairlie, Mr. and Mrs. Louis Brownlow, Mr. Clinton Rogers Woodruff and Dr. Egger.

*

This is a Special
Cleveland Number

Cleveland has always been conspicuous for the vitality and independence of its civic spirit. Its courage and ideals were exemplified by its willingness to be the first large city to introduce the manager plan; but her position in the front rank of American municipalities is no less evidenced by her accomplishments in public works and administration. It is fitting, therefore, that the National Municipal League should hold its 1930 meeting in Cleveland.

Delegates to the convention will find many things to interest them besides the program. This special Cleveland number is a partial catalog of subjects which League members and friends will desire to examine on the ground. Mayor Marshall extends a cordial invitation to visit the municipal departments while you are in town and assures that you will be courteously received.

The activities of the two civic organizations described in this issue are worthy of study. The Citizens' League of Cleveland, which heads the list of hosts to the convention, is by reason of

its long existence and the results of its work, conspicuous among organizations of a type which are too often short lived and innocuous. The Cleveland Foundation blazed the trail for the community trust idea, which has since been applied in seventy-five cities.

Cleveland's "miles of respectability," as described by Mr. Morris, are a tribute to her early appreciation of the value of city planning and her belief that city homes need not be drab and depressing. Her terminal project is evidence of her courage, and her civic center, to be completed in 1936, the hundredth anniversary of her birth, is testimony to the pride of her citizens in their city. Her care for the finer things of life is revealed in her orchestra, her beautiful art museum, her educational institutions and her magnificent system of metropolitan parks. Mr. Gesell's discussion of the borrowing policies of the school board indicates its attention to sound methods of financial administration.

All this does not mean that Cleveland's government is beyond improvement or that her taxpayers are complacent. Every intelligent Clevelander knows that there are big problems still to be solved.

In view of the results of several attempts to abolish manager government, popular opinion seems to have accepted this form as the best for Cleveland; but no informed person would assert that she has yet sounded the full possibilities of the manager plan with proportional representation. In company with other large centers of population Cleveland is suffering from the lack of an adequate metropolitan government, but her present plans for constitutional county home rule (in which other parts of the state have joined) are in keeping with her past record for leadership and readiness to experiment.

It will be well worth while for you to attend the National Conference on Government, November 10 to 12, under the auspices of the National Municipal League and cooperating organizations. You will find that Cleveland has her full quota of citizens who are thinking about the administration of their city. You will be helped by meeting and talking with them.

Graft in
New York City

*
Admitting that petty grafting was widely practiced by city employees, Mayor Walker asked co-operation in halting corruption and eliminating grafters from city service in a speech at City Hall on August 27 to 200 representatives of civic and mercantile interests who gathered there at his request.

He suggested that the organizations form a central committee to receive complaints, or that each association appoint its own committee for that purpose. He promised to investigate every complaint given to him directly or through such committees if it were supported by proof, and promised to drive all those guilty of grafting from the city's service. He did not advocate any specific methods, preferring to leave that to the convenience of the organizations.

Since there are more than a score of official investigations in progress, a number of which seriously involve the courts, Mayor Walker's confession can be accepted as accurate as far as it goes. For some reason, however, "Our Jimmy" has not been able to convince the city of the sincerity of his desire to run down the grafters. The Citizens' Union asserts that the Mayor's troubles come from subservience to the local machine, drunken with power. The Old Tammany is with us again.

Professor W. B. Munro, writing in the *New York Sunday Times*, believes that in spite of periodic disclosures of

political corruption in all our big cities, municipal administration in this country is on a higher plane than ever before. With this we agree. The "Old Tammany" is undoubtedly giving New York better administration than some reform administrations in the past. This is due to improved technique in public administration, to civil service reform and, above all, to citizen demands for higher standards of government. Yet it is not evident that Tammany's stock in the local market has been seriously depressed by the show of corruption that has been displayed before the electorate. One reason may be that much of the reforming zeal has come from the state politicians of the opposite party, who are somewhat suspect by the people. No real citizens' movement, divorced from the official leaders of the opposing party, has as yet emerged.

*

Wholesale Condemnation Urged to Cure Slum Evil
 Stewart Browne, president of the United Real Estate Owners' Association, and a famous watch dog of the municipal treasury of New York City, has little patience with current efforts to solve the slum difficulty in New York. The state board of housing and limited dividend companies have been a "dead failure." Excess condemnation in connection with street widenings is "picayunish" at best. (The legality and soundness of this device has been questioned in the REVIEW by no less an authority than Lawson Purdy.) Borough President Miller's plan to keep people on Manhattan by building apartments to rent for \$21 per month per room, Mr. Browne correctly declares, does not face the issue at all.

Mr. Browne proposes a more severe remedy; one to which Europe is taking recourse. The police power, he says, is superior to rights of property.

Legislation empowering the city or a state-created body to condemn houses on the East Side and to pay not more than 1930 assessed valuations for them should be enacted. Remove the tenants and demolish the buildings. Replat the territory with streets not less than eighty feet wide, and erect new fire-proof buildings with elevators and all improvements. Abolish the slums at one "fell swoop." "Chasing the Almighty Dollar is not the only thing in Life."

Mr. Browne concludes: "Let the rent question alone." But rents of some sort will have to be charged tenants. If they are to be sufficient to meet costs, even under condemnation of existing property, they will be outside the range of the present residents of the slum areas, and the new facilities will be occupied by much the same sort of people who would be interested in Mr. Miller's \$21 apartments. Obviously the problem of housing the low wage earners would still be with us. What does Mr. Browne propose to do with them? Will his socialism carry him one step further to a governmental housing subsidy for the poor in the interests of the health, welfare and morals of the people?

The city may build new houses all over the East Side, but when it does so it will not be able "to let the rent question alone."

*

Decile Ratings Applied to Cities in Minnesota
 A comparative study of tax rates and assessed valuations in Minnesota municipalities, recently published in *Minnesota Municipalities*, is reported to be attracting much comment from officials and taxpayers of the cities concerned. The tables were worked out by Professor Morris B. Lambie with the coöperation of the staffs of the Municipal Reference Bureau and the General Extension Divi-

sion of the University of Minnesota and of the League of Minnesota Municipalities.

The study is an interesting innovation. In a most significant table 726 municipalities of Minnesota are grouped in decile ratings with respect to tax rates, assessed property valuations per capita, exempt property per capita, debt per capita and ratio of various classes of property to total assessed valuations. Decile comparisons of electricity, water and telephone rates are also made, and the fire insurance rating is given for each city.

The interesting thing about the table of deciles is the effort to attain a more informative method of presenting comparative statistical material on taxes, assessments and debt than is possible by simple tabular rating. By running down the vertical column under any specific heading the reader is able to compare his city with any other in respect to any given factor (tax rates, debt, assessments, etc.) in which he is interested. Knowing the decile rating which his city has received, it is a simple matter for him to measure it by comparison with others.

The hints respecting conditions in his city which an interested taxpayer may secure from a careful study of the decile ratings are numerous. While the table does not explain deviations or pass judgments as to their propriety, it will stimulate questions which city officials will be called upon to answer.

Of course, as Professor Lambie points out, comparative statistics have

their limitations; they are not to be accepted uncritically. But they can and do furnish useful clues which, when followed up, often reveal situations which before had remained concealed.

The preparation of the decile table involved much work, and its influence as a means of information and education of citizens and officials in Minnesota will be watched by students of municipal government everywhere.

The next step in the plans of Professor Lambie is the preparation of a standard or norm to which all cities in the state can be related. With this as a basis he and his colleagues will prepare a table showing the degree to which each individual city deviates from the standard. Whether a standard universally acceptable can be erected will be doubted by many, but no one will deny that the attempt to grade cities according to some standard will arouse widespread interest and discussion.

*

In a recent address Governor Leslie of Indiana asserted that during the eight years in which the Indiana Tax Plan has been in operation the state tax commission has saved the people approximately \$80,000,000 through reductions ordered in proposed local bond issues and tax levies. The intangible influence of the commission as a deterrent to municipal extravagance, the governor considers to be more valuable than its actual trimming of local expenses, and he estimates the savings from this source to be many times more than \$80,000,000.

HEADLINES

Dallas, Texas, voters will go to the polls October 10 to pass on charter amendments which, if approved, will establish the city manager plan in Dallas.

* * *

Consolidation of a number of counties under one government is an idea that, politically impractical as it may be, persists in cropping out periodically as people search for a solution to the county problem. A committee recently has been appointed in Stokes county, N. C., for example, to draw up plans for merging with Forsyth county.

* * *

Arlington county, Va., will vote on the adoption of the county manager plan at the November election, if the recommendation of the committee on legislation of the Arlington County Civic Federation goes through.

* * *

It is again *Mister* Charles Bowles of Detroit in theory. The recall of the mayor of the Michigan metropolis who was ousted from office on July 22, by a majority of more than 30,000, was apparently made effective September 9 when Detroit voters again rejected him and elected Judge Frank Murphy to the office. At last reports, however, Bowles still occupied the executive chair, and threatened to take his case to the Supreme Court.

* * *

Likelihood of an extended court fight on general reduction in electric rates in Georgia looms when Georgia Power Company enjoins Public Service Commission from forcing hearing on cut.

* * *

While Chicago is worrying about collection of taxes for 1928, Cincinnati is looking ahead to 1932. The tax rate for that year will probably be \$21.50 as compared with \$21.66 this year and \$22.10 for 1931, City Finance Committee Chairman C. O. Rose announces.

* * *

If reports from two states mean anything, the per capita cost of state government continues to increase. The United States department of commerce reports a cost of \$6.51 per capita for the state of Ohio for the year 1928 as compared with \$6.29 in 1927 and \$3.50 in 1918. The figures for Maryland are \$11.46 for 1928, \$11.37 for 1927 and \$5.49 in 1918.

* * *

Bill providing home rule for Philadelphia will be presented at the next session of the legislature as a part of the movement for the city manager plan in the Quaker City.

* * *

More than thirty investigations of officials or city departments are in process in New York City. The "new Tammany" is the same old tiger, Gotham concludes.

The 10-cent fare that has been charged Chicago elevated riders for two years, is legalized by court decision.

* * *

Oakland, Cal., will vote November 4 on the manager plan.

* * *

A bondholder's suit asks court control of the government of Sarasota, Fla., until delinquent claims are paid. This isn't the only city hall where receivers might logically be in charge!

* * *

Oregon voters will pass upon constitutional amendments in the November election, which would reorganize the state government into nine departments and establish a short ballot.

* * *

St. Louis will vote on nine amendments to the city charter in November, providing for changes in the condemnation procedure.

* * *

Success of the manager plan as applied to the prison system in Texas has led to serious discussion of the plan as a "way out" for the state government.

* * *

Payments for operation, maintenance, interest and outlays for permanent improvements for cities of more than 30,000 population were 79.8 per cent greater than similar payments for the 48 states, and only .8 per cent less than those for the federal government, United States department of commerce figures show. How the youngster's grown!

* * *

Alphabetical listing of the voters of the state of Arizona will be completed prior to the fall elections. Arizona is the first state to have attempted this job.

* * *

Five hotel companies, three publishers, one furniture store and a real estate dealer join hands with the city of Atlanta to force the director of the census to change the population of the city on his records. The petition for a writ of mandamus alleges about 90,000 persons within the corporate limits of Atlanta were overlooked.

* * *

Drinking by policemen, on or off duty, will not be tolerated in Flint, Mich., City Manager John N. Edy warns police executives.

* * *

Lexington, Ky., will have another chance at the manager plan at the November election. Lexington adopted the plan, but was forced to abandon it by a ruling of the Kentucky supreme court.

HOWARD P. JONES.

WHAT THE MANAGER PLAN HAS MEANT TO CLEVELAND

BY JOHN D. MARSHALL

Mayor of Cleveland

Despite efforts to abandon it the manager plan still stands. Cleveland has advanced under it. :: :: :: :: :: :: ::

THE City of Cleveland has operated under the manager plan since January 1, 1924. Our charter provides for a council of twenty-five members, elected from four districts by proportional representation. In the council is vested all the powers of the government formerly divided between the mayor and council under the federal plan. The council employs a city manager for an indefinite term, who may be suspended or discharged at any time, but he may require a written statement of the charges against him and an opportunity to be heard thereon if he is ousted from office any time after having served six months. Full administrative authority is lodged in the manager who controls the appointment of the entire personnel, subject to civil service regulations. The council elects the civil service commission.

The question which will most frequently occur is whether the manager plan has been a success in Cleveland. I, myself, believe that it has been very satisfactory, but the various elections which have been held in an effort to amend or change the plan have indicated that the public of Cleveland is very closely divided on that question. In fact, at the present time there is pending a petition calling for a new election to restore the mayor-ward-council system, and a citizens' committee has recommended many substantial changes in the present charter. The

people, therefore, will have to vote on this question again at a very early date.

It is difficult to say whether these movements to change the charter result from the fact that only a ten per cent petition is required to submit an amendment, or because the form itself or certain features of the present charter are particularly objectionable, or because a change in administration is desired. There has been considerable opposition to the proportional representation system and a marked sentiment, particularly in the outlying sections, for the return of the ward plan of electing the council. A good many people also believe that they have lost a voice in the government if they do not directly vote for the chief executive of the city. The conflicting ambitions and interests of those who have thought they would benefit or lose by a change have been most important factors. No doubt, a combination of these and many other elements have influenced the individual voter in determining whether he would vote "yes" or "no" on pending amendments. Whatever the reasons may be, it is pretty clear that many voters want some kind of a change, but it is equally clear that a militant majority, however, believe in the manager plan and are convinced that it has been a step forward in the civic life of Cleveland.

MANAGER PLAN HAS SPELLED
PROGRESS

Every fair-minded observer recognizes that during the period under which this plan has been in operation, Cleveland has made remarkable progress along the lines of municipal government and in the development of the community. I am confident that the keen students of municipal affairs who will honor us with their presence at the annual convention of the National Municipal League will see many evidences to indicate that the municipal government of Cleveland is functioning properly.

All of our employees will welcome the opportunity of showing to any of Cleveland's guests the many institutions which the city supports and of answering any questions about them or in connection with any phase of the city's activities. If this invitation is accepted, it will be possible for the visitor to compare our methods with those of other communities of like population and form his own judgment as to whether under the manager plan that particular function of government

is being efficiently carried on. I trust that many of my readers will accept this invitation.

I have indicated that I believe the manager plan has been a marked success in Cleveland, and I want it understood that I am a supporter of this form of government. I believe, however, that it is a mistake to expect that the manager plan, as such, will accomplish miracles, for, after all, all plans must be operated by human beings. If the right kind of people fill the municipal offices and are supported by a healthy public sentiment, good government is bound to result. No form of government can succeed if it is not in good hands. While forms and methods, no doubt, contribute to or retard municipal progress to a certain degree, in my opinion the real progress is made as a community rises to its obligation by electing and supporting the most capable public officials. Cleveland has long been known as a leader in the field of municipal government and for the men and women who have contributed to its advancement, a position which I am satisfied it will continue to maintain.

CITY PLANNING IN CLEVELAND

BY CHARLOTTE RUMBOLD

*Secretary, Committee on City Plan, The Cleveland Chamber of Commerce;
President, Ohio State Conference on City Planning*

Cleveland, proud of her University Circle and Public Square, looks forward to the fulfillment of her ambitious plans for a Civic Center by 1936—her hundredth birthday. :: :: :: :: :: ::

CLEVELAND is a typical steel city. It is where it is and what it is because it is one of the places around the Great Lakes where iron ore and coal meet cheaply. It has the typical leaders in the steel industry, men who take advantage of every scientific fact in technique, whether engineering or finance. It has the typical steel workers, first, second and, lately, third generation immigrants from south-eastern Europe. They are careful of public as well as private expenditures. And they vote.

The backbone of Cleveland industry is three huge steel mills. The thermometer of business is steel furnaces in blast. These furnaces in the valley are literally a cloud of smoke by day and a pillar of flame by night. When these mills make a million dollars' worth of steel, the shops and factories make it over into three million dollars' worth of wire, nails, bolts, nuts, screws, automobile parts, railway supplies, levers, lifts, hoists and cranes. Two hundred and eighteen out of the two hundred and sixty-two manufactures listed in the United States census are carried on in Cleveland.

These things are inevitably reflected in Cleveland's city and metropolitan plan.

HOW ZONING CAME ABOUT

Look at the zoning. In 1920 Ohio passed a permissive zoning law. This

was due to the efforts of the Ohio State Conference on City Planning, organized by the Cleveland Chamber of Commerce, for the purpose of securing for the cities of the state, Cleveland of course included, state legislative basis for much needed municipal zoning legislation. Then a few months after the passage of the legislation, Cleveland Heights—just across the street from Cleveland—passed the first municipal zoning law in the state. In quick succession the dormitory villages and cities about Cleveland passed similar, sometimes identical, ordinances. Cleveland's city plan commission drew up Cleveland's zoning ordinance and made its zoning maps; the Chamber of Commerce lent its support. All in vain. In the years that followed, the cities and villages about Cleveland, following the best practice, adapted their ordinances and maps to the one that Cleveland was trying to put across, and when Cleveland, in 1929, by a popular vote of 60,000 to 40,000, did finally get its zoning ordinance, Cuyahoga County, or metropolitan Cleveland, found itself zoned by means of a dozen or more ordinances or maps which dove-tailed into each other, the central block of the whole district having been placed in the picture puzzle map last and locking it together.

But there are some curious things about this map. The area of Cleve-

land proper is 71 square miles. Of this land, there is devoted to:

	Per Cent
Streets, parks, cemeteries and schools..	27.7
Dwellings of all kinds.....	37.2
Retail and commercial business.....	10.8
Industrial purposes and railroad yards and rights-of-way.....	24.3

Since under the head of commercial business there are a good many light factories it is obvious that about 25 per cent, or one-fourth, of Cleveland land area is used for industry, and most of it rather heavy industry. On the other hand, look at the population of Cleveland and some of its satellite cities:

	1920	1930	Percent- age of Increase
Cleveland.....	796,841	900,430	13.0
Cleveland Heights.	15,236	50,123	229.0
Euclid.....	3,363	12,675	276.9
Garfield Heights..	2,550	15,575	510.8
Shaker Heights...	1,616	17,892	1007.2

Put into words, these tables mean that in the last ten years most of the Clevelanders who could afford to buy a home bought it outside of Cleveland, and that the zoning ordinance for Cleveland was finally voted up by tenants and not by property owners.

THE THOROUGHFARE PLAN

Look at the thoroughfare plans. Cleveland had a thoroughfare plan and a set-back ordinance long before it had the zoning plan. It likewise has not only a county thoroughfare plan, but an inter-county thoroughfare plan which extends through the six counties adjoining Cuyahoga County, in which Cleveland is situated. This is another

unified plan which, like zoning, is adopted not only by one governmental agency but by many.

Look at the parks. Cleveland has, of course, a park system, dating from that long-ago time when people went into parks and sat down in them. There is, however, a Cleveland Metropolitan Park System which not only extends through the whole surrounding county, but through two other counties (by petition of those counties) and is supported by taxes from all of them.

THE CIVIC GROUP PLAN

Look at the Group Plan. Cleveland's Group Plan was started in 1900 by men who seized the opportunity created by the need of a new county court building, the promise of a new post office, and the imminent need of a new city hall, to enlist public support for a group of public buildings in emulation of similar groups in European countries. They did their work well. They had a hope of making their city as beautiful a place in which to live as it was profitable in which to work. They chose the outstanding architects of the time to make the plan. Daniel Burnham and his associates made a plan of wide vision and beautiful proportion. It caught the imagination of the whole citizenry and the enthusiasm has lasted. In all the thirty years following, only one proposal has failed of popular approval at the polls. In the thirty years the citizens of Cleveland have spent from their own tax money about \$38,000,000 upon the Group Plan. For a city which has not yet reached a million in population, this is every bit of what they should spend on one city enterprise when hospitals, health and sanitation, police and fire, and all the other activities in which a city must engage are taken into consideration.

UNIVERSITY CIRCLE

In the meantime, out Euclid Avenue, a distance of five miles at a 45° angle from the corner of the Public Square, there is an educational and cultural center built about the universities. This was started about eleven years ago by practically the same men who started the civic center. They optioned or purchased a great deal of the necessary acreage around the universities and the art museum for future buildings for cultural and educational institutions which they knew the city would be obliged to have, and they did it deliberately to establish such a cultural center because they knew of the success of the civic center. There are now fourteen such institutions established in the University Circle group, and there has been approximately the same amount of money spent on it as has been spent on the civic group. But this money has not come from public taxation money. The Art Museum, Historical Society, Natural History Museum, Medical Center, Orchestra Hall and, of course, the various churches and temples, as well as the different colleges, are all privately supported. They are the benefactions and philanthropies.

CLEVELAND TERMINAL

On the corner of the Public Square, diagonally across from the end of the group of public buildings, is the Cleveland Union Terminals group, the commercial and transportation center of the city. It is of a much shorter life than that of the other two, and of obviously much economic value. On it has already been spent approximately as much as on the other two centers together, and it is not completed.

In other words, the civic center, the group plan of public buildings—just because it is dependent upon taxation and must, therefore, run the various gauntlets of councilmanic action, vote of the people, and taxpayers' suits, and all the hazards of political partisanship and suspicion—lags behind the economic and the cultural centers. Nevertheless, it is hoped to finish the Group Plan by 1936, even though it requires, in all probability, another several millions to do it.

1936 is the one hundredth anniversary of Cleveland's centennial as a city with a charter, and Cleveland proposes to celebrate its birthday by giving itself a real gift—a completed GROUP PLAN.

THE CITIZENS' LEAGUE OF CLEVELAND

THIRTY-FOUR YEARS OF CONTINUOUS PUBLIC SERVICE

BY MALCOLM B. VILAS

President

Because of its long life and the independence and effectiveness of its work, the Citizens' League of Cleveland commands an enviable reputation throughout the whole United States. :: :: ::

AS ONE of the oldest organizations of its kind with a continuous existence since 1896, the Citizens' League holds a unique position in the political life of Cleveland. Being supported financially by the dues of its voluntary membership, the League is neither under obligation nor does it owe allegiance to any political or financial group. This freedom and independence is essential to any organization which is to maintain an unbiased attitude toward the problems with which it must deal. The League has consistently maintained that independence for the entire period of its existence.

The underlying thought behind the Citizens' League can be summed up in the trenchant phrase "Eternal vigilance is the price of liberty." The League's representatives are in the political watch tower all the time alert for indications of mismanagement, waste and corruption. As the "watchman" of old, the League is usually the first to discover any irregularities in government. Then as the "fireman" puts out the fire so the League steps in to demand an end of the waste or corruption which it has revealed. Next as the "physician," the League attempts to prescribe a cure for the ailment in the form of constructive legislation or a change in officials as the case may require. And always, in the rôle of the "policeman," the League

patrols its beat, representing the citizens, and furnishing a constant reminder to the public official who may be unworthy of his trust that someone is watching and he would better go straight.

THE BIRTH OF AN IDEA

Thirty-four years ago up in Harry A. Garfield's Cleveland law office, a half dozen young men sat around a table and decided that something had to be done to clean up Cleveland politics—and that they were the ones to do it. Those were the days when Robert E. McKisson was mayor—Czar Bernstein was boss of the old 16th ward—and free beer, free lunch and a free concert were essential to every well-conducted political campaign. Politics was in the air. The time seemed right for just such an effort as these young men proposed.

In December, 1896, a group of like-minded citizens was called together and the "Municipal Association" was formed. It was an association of citizens and taxpayers who believed that a watchful eye should be kept on public officials and the public treasury, that public work should be performed honestly and economically, and that experienced and capable men should be selected for office. Harry A. Garfield was made president of this citizens' organization, George T. McIntosh and

Martin A. Marks, vice-presidents, H. F. Lyman, treasurer, and Frederick C. Howe, temporary chairman of the executive committee. The new non-partisan association was thus launched on its long service of promoting good government in Cleveland and Cuyahoga county.

The first annual report, which was signed by H. E. Bourne, secretary, indicates that the association got into immediate action. Recommendations were made on state and county candidates—committees were appointed to study street paving and cleaning, city and county administrative methods—and the year closed with a total expenditure of \$2,015.71 and a cash balance of \$43.29 in the treasury. In the year following, after a careful investigation, the county commissioners were charged with extravagance, carelessness and even chicanery.

THE TOM JOHNSON DECADE

In 1901 Tom L. Johnson appeared on the political horizon as mayor. Public attention for several years was fixed on this picturesque man and his vigorous and progressive program. Politics became rife in the board of education. The conditions in the county were growing worse. The Municipal Association was unable to arouse much nonpartisan interest in city or county affairs, while the public mind was interested in the mayor's doings.

With the passing of Tom Johnson in 1910 the Municipal Association entered into a new era of development. Mayo Fesler was induced to come to Cleveland from St. Louis to become secretary of a reorganized association, and its work was changed from the purely critical to both a critical and constructive organization. Issues and principles of government were given closer consideration. The promotion

of the principles of the merit system—municipal budget making—the elimination of politics from the board of education—the short ballot—municipal home rule—economy in county offices—were the subjects engaging the attention of the association in the years that followed. Many of the reforms advocated have since been accomplished. Some of the evils of government condemned in those days are still among us and many new ones have developed, for good government will always be a struggle between the selfish partisan forces and the unselfish and enlightened citizens' interests. That is why good citizens must organize and keep organized.

In January, 1913, the name of Municipal Association was formally changed to the "Civic League." The objects and aims of the organization remained the same and the fundamental purposes of the original association were reaffirmed. In 1912 the Association had organized and led the campaign resulting in municipal home rule for Ohio cities. In 1913 the first home rule charter, promoted and supported by the League, was adopted for Cleveland. In the same year the League succeeded in securing the enactment of a law setting up a complete merit system in state, county and city offices. In 1915 the campaign was begun for a reform of the Ohio state taxation system, and in that same year the League also voiced a vigorous protest against unequal representation in the Ohio legislature.

BEGAN ADVOCACY OF MANAGER PLAN

The Cuyahoga county jury system was analyzed and criticized in 1916 and the city manager form of government for Cleveland was first advocated. In 1917 the campaign for a form of city and county consolidation which would secure greater efficiency and economy

in local government was actively begun. Constant pressure was also being brought on public officials to improve the city's paving program and an inspection service was maintained by the League.

Finally in 1921 the city manager form of government was adopted as a protest against the bad administration of the war period. The new charter was to take effect in 1923. Meantime the friends of the new plan realized the necessity of a strong and vigorous citizens' body to see that the manager form was given a fair trial. The name of the organization was changed to the "Citizens' League," and Mayo Fesler, present directing head, was asked to return after having served as secretary of organizations in Brooklyn and Chicago for the preceding seven years.

The new Citizens' League again came to the forefront as a civic force in Cleveland and as a moulder of political opinion and the teacher of civic ideals. The few remaining members of the old Civic League were taken over into the new organization and a vigorous membership campaign was begun. The membership has shown a steady increase and is now approximately 5,000 with an annual budget of \$40,000.

In the last session of the legislature, one of the League's greatest victories was finally won, after ten years of effort, in the passage of the new election code which embodies many of the recommendations made by the League. This same session followed another League recommendation and legalized the use of the photostatic process in the recorder's office, an economy measure. The session of 1926 eliminated the fee system in the coroner's office and compelled the sheriff to feed prisoners at cost—two more League measures.

INCREASINGLY INFLUENTIAL

The activities of the Citizens' League are a part of the civic life of Greater Cleveland, its influence is impressed on every civic advance, and the entire community looks to the League for the promotion of the best ideals in local government. Its recommendations on candidates and issues are being increasingly respected and weighed at the polls by the voters, as the findings of a citizen group which views civic affairs from an unbiased and nonpartisan standpoint. A board of thirty representative citizens determines the policies of the organization and passes final judgment on all reports and recommendations rendered in the name of the League. The board approves all investigations and recommendations before they are made and authorizes all actions of committees, of the director and his staff.

As government has become more and more specialized and as the population and activities of the community have increased, greater demands are being made upon the Citizens' League for information and guidance at the polls. Few citizens can keep themselves satisfactorily informed on all phases of local government, nor can they examine the merits of the hundred and more candidates presenting themselves for office. They can, however, associate themselves in a nonpartisan organization which will supply this information on local public matters. The Citizens' League of Cleveland is rendering an increasingly effective service as the researching, reporting, criticizing and constructing organization for that progressive group of citizens who want better government in city, county and state.

THE CLEVELAND FOUNDATION— THE FIRST COMMUNITY TRUST

BY LEYTON E. CARTER

Director, The Cleveland Foundation

*The community trust idea, first applied in Cleveland, has been adopted
in 75 cities. :: :: :: :: :: :: :: :: ::*

THE use of wealth affords an acid test of wisdom. Difficult as it is to accumulate wealth it is often harder to use wealth wisely. Particularly is this true in the field of human welfare. Where one seeks to aid people instead of dealing with inanimate things the problem of spending money is beset with pitfalls indeed. A million dollars plus generosity is by no means an adequate equipment for the wealthy samaritan who goes forth to help his fellowmen. A plentiful supply of wisdom and patience are equally essential to success.

Since our country has begun to come of age increasing attention has been given to the problem of providing more effective utilization of wealth for charitable, educational, and scientific purposes. The examples of the great foundations—the product of individual fortunes—such as the Rockefeller, Carnegie and Russell Sage Foundations are very widely known and have acted as beacon lights pointing the way to the better use of wealth dedicated to humanitarian purposes.

But these did not wholly solve the problem. Not many people can individually start foundations with sufficient endowment to accomplish noteworthy results. Yet many people with means in this tremendously wealthy country have the sincere desire to dedicate all or a portion of their property to charitable or other humanitarian purposes and in a man-

ner which will be effective. Out of these circumstances came the birth of the community trust plan in Cleveland sixteen years ago.

THE NEED FOR A COMMUNITY TRUST

The Cleveland Foundation—the pioneer community trust—was conceived by the late F. H. Goff in 1914. Mr. Goff, an outstanding civic leader, was then president of the Cleveland Trust Company. During his eventful career as lawyer, judge and banker he had opportunity to observe and study the uses to which wealth was put by many individuals interested in charitable, educational and humanitarian endeavor. His observation led to several convictions. First, that bequests and gifts for charitable and other humanitarian purposes were generally so restricted in character that the swift changes of the years very often made them obsolete, meaningless or positively harmful. Yet, because of established judicial interpretation, little or no change could be made in the specific uses to which a charitable trust was dedicated after the donor's death. This he called the grip of the "dead hand." Second, he saw the waste and ineffectiveness of isolated gifts and bequests—many of them relatively small in amount. Also, he saw the great need for the safeguarding of principal sums left for charitable purposes in order that income might not be

jeopardized by inexperienced or incompetent management of such principal. Most vividly, perhaps, he saw the need for introducing the principle of flexibility in the use of wealth dedicated to charitable and other humanitarian purposes. A swiftly changing, dynamic civilization demanded the adoption of such a principle he thought.

HOW THE FOUNDATION SERVES THE DONOR

Out of these observations and mature convictions came the Cleveland Foundation established by resolution of the board of directors of the Cleveland Trust Company January 2, 1914. Through the Foundation, any individual can dedicate wealth by gift or bequest for charitable and educational purposes for the benefit of the inhabitants of Cleveland. This can be done in a broad, unrestricted manner.

Or the donor can, if he wishes, designate the specific objects of a charitable or educational nature which shall be the purposes of his gift or bequest. And he can be assured that his special or particular wishes will be honored and observed as long as there is reason to believe that the welfare of the inhabitants of this community will be served by so doing.

Also he may be assured that if the day comes when the further carrying out of his particular wishes is clearly unnecessary, unwise or impossible, then other uses of a charitable or educational character will be selected which are pertinent and appropriate to that day and generation.

Through the Foundation a donor can be assured that the principal sums which he gives will be in the hands of those particularly qualified by law and expert knowledge to conserve, manage and invest wealth.

ADMINISTRATION

The Foundation functions through a distribution committee and a trustee. The distribution committee is charged with the distribution of income available to the Foundation for its charitable and educational purposes and in accordance with the wishes and preferences of donors where such are made.

The official trustee of the Foundation is the Cleveland Trust Company. At regular intervals the trustee pays to the committee all income available for distribution.

The distribution committee is composed of five members who serve without compensation. They must be of local residence and possess "a knowledge of the civic, educational, physical and moral needs of the community."

One is chosen by the mayor or chief executive officer of the city of Cleveland; one by the senior or presiding judge of the Probate Court of Cuyahoga County; one by the senior or presiding judge of the United States District Court for the Northern District of Ohio, two by the directors of the Cleveland Trust Company.

The term of office is five years. The terms are overlapping, one member's term expiring each year. The Foundation is therefore essentially under public control and is a public enterprise.

EARLY YEARS

During its earlier years, before it had accumulated any considerable endowment, the Foundation conducted several important surveys. Outstanding among these were the Survey of Criminal Justice in Cleveland and the Education Survey. The first was under the direction of Dean Roscoe Pound and Professor Felix Frankfurter of the Harvard University Law School and the second under Dr. Leonard P.

Ayres, then director of education for the Russell Sage Foundation. Both of these surveys have become nationally known. They have produced notable results in Cleveland and have prompted the undertaking of similar surveys in various other cities. Other Foundation surveys included one covering public and private recreation facilities in Cleveland, another, relief agencies and the last one undertaken, that of higher education in Cleveland. All of the surveys have had substantial results which are continuing in their benefits to the community.

Since 1925, when the survey of higher education was completed, no surveys have been made. It is possible, however, that circumstances may prompt undertaking further survey work in future. At present, the Foundation, with a growing endowment, is engaged in administering the income therefrom and in making its purposes and work more widely known in the community.

ACTIVE ENDOWMENT NOW \$3,000,000

During the sixteen years it has been in operation a gratifying number of individuals have made bequests for the uses and purposes of the Foundation. These vary in amounts of \$1,000 to several millions. By no means all of these gifts are yet effective, but will be at some future time. The active endowment of the Foundation is now nearly \$3,000,000.

The present endowment represents the gifts of fifteen donors. This illustrates a prime advantage of the community trust plan—that of accumulating a constantly growing number of gifts, including many of modest amounts, in one place and all dedicated to common purposes. In this way worth while results can be attained whereas isolated gifts often fail to accomplish much.

HELPS COMMUNITY ENTERPRISES

At present the Foundation is giving financial aid to various interesting and noteworthy projects—the building of a graduate school at Western Reserve University, the administration of three scholarship funds aggregating \$15,000 annually, the support of a unique camp for the care of diabetic children, a research study of the causes of behavior problems in boys, assistance to a hospital for crippled children, the making of a study of child welfare needs in Cleveland, the periodic publication of a Cleveland Year Book and Directory of Social and Civic agencies, as well as making recurring appropriations to several well-conducted private charitable organizations designated by donors.

The Foundation is not primarily interested in helping to carry on charitable work now financed by Cleveland's excellent Community Fund. Rather it is interested in new projects and experiments, research undertakings and carefully conceived efforts to grapple with the causes of some human ills and maladjustments as distinguished from their end results.

Appointments to the distribution committee have been meritorious without exception. Different shades of opinion and philosophy have been represented which is desirable, but disinterestedness and devotion to the purposes of the Foundation have remarked the work of all committee members who have served during the past sixteen years. The custom of good appointments is well established.

The community trust idea has had a remarkable acceptance throughout the country. There are already 75 community trusts in various cities throughout the United States and Canada. Over 200 trust companies are participating as trustees. The aggregate

endowment totals \$32,000,000. Upwards of a million dollars a year is now distributed by these Foundations, most of which are not over ten years old.

The Cleveland Foundation stands

fourth in size among the ten leading community trusts.

The Community Trust plan is an American contribution to the technique of giving.

CLEVELAND'S MILES OF RESPECTABILITY

BY WARREN L. MORRIS

Cleveland, Ohio

Cleveland is famous for the high character of its residential areas. Single-family homes dominate. Real estate developers have shown courage and judgment. :: :: :: :: :: :: ::

RICHARDSON WRIGHT, editor of *House and Garden*, on a visit to Cleveland last spring while being driven through the major residential sections, is reported to have remarked: "I do not see how there can be that many respectable people." If mile after mile of rather spacious city home grounds, set with residences of a "well to do" appearance, with a better than average architecture the rule rather than the exception, bespeaks respectability, Mr. Wright detected a fundamental characteristic of Cleveland residential development.

Row houses and so-called semi-detached houses, so common in most of America's larger cities, have never interested Clevelanders and consequently only few have been built in Cleveland. While I know of no statistics on the subject—it is an obvious fact that Cleveland homes average more yard area per home than other large cities, and Cleveland's residential area has always been larger in proportion to population than normal. The deviation from the single dwelling is now almost exclusively the multi-family apartment building. While there was a period when two and four

family buildings were a somewhat popular type of housing, in the past ten years they have steadily declined in production until building-permit figures now show them to be relatively nil.

The City of Cleveland delayed many years in enacting zoning legislation although most of her immediate suburbs have had zoning ordinances for from five to ten years. Obviously a discussion of residential real estate development in Cleveland must necessarily deal primarily with her immediate suburbs. For the past two decades the overwhelming majority of Greater Cleveland's residential construction of the better class has been in her adjoining suburbs. It is interesting to note, however, that even before zoning, practically all of Greater Cleveland's newer residential areas were controlled by deed restrictions running with the land. These deed restrictions have been notably strict and conducive to good development. Furthermore, they have been an evolution of the very thought of the citizens as expressed in the community's early development—what Mr. Wright either interpreted as, or confused with "respectability." This very general ap-

plication of a more strict and more thoroughly thought-out deed restriction has been conducive to a better tone to the whole residential development, and has more accurately expressed the thought and desire of the home-owning citizenry than can any artificially conceived zoning ordinance of blanket application.

THE LAKE FRONT LITTLE USED FOR RESIDENTIAL DEVELOPMENT

Cleveland—a lake city—has never developed her lake front residentially in a major way.

The really extensive residential development has been “Heightsward”—the uplands lying south and southeast away from the water front. Whether this is a result of familiarity breeding contempt, or follows the influence of an important development well conceived and designed to appeal to the desire of the “well to do” for new homes, may be debatable, but both probably played their part. On the Waterfront East there remains the Village of Bratenahl, bordered entirely on three sides by the corporate lines of the City of Cleveland—a community stretching along Lake Erie and occupied almost entirely by magnificent homes and estates of the wealthy. In the heart of the community and around which the community built, is the Country Club—the first golf club established in Cleveland. This year it has closed its doors and moved into a pretentious new club house away from the water to a location far in advance of the forward march of the Heights. Bratenahl cannot and will not expand its high character beyond its present rather limited confines.

The lake front has been utilized more extensively in the western part of Greater Cleveland. Lakewood—Cleveland's adjacent suburb to the west—a city of 70,461 people, has

utilized its shore property, which today is largely occupied from Edgewater Park to Rocky River and beyond with very creditable and substantial homes of the more expensive type. Nevertheless, lakefront home sites in Lakewood have for years experienced an inactive market.

THE DRIFT HAS BEEN TO THE HEIGHTS

The great movement for the better-class home has been southeasterly on the Heights. The Heights movement was initiated just prior to 1900 when the Euclid Heights Realty Company acquired and subdivided several hundred acres on the uplands overlooking the buildings and campus of Western Reserve University and Case School of Applied Science. This pioneering Heights development company did a splendid job of street layout and platting. They promoted Cleveland's second country, or golf, club—the Euclid Club. It was made to appeal to Cleveland's wealthier families. The late Myron T. Herrick, Ambassador to France, was among the first to erect a new home for his family there. He was accompanied by prominent members of the Bar, industrial leaders and leading merchants. It became the vogue to “live on the Heights.” The fact that the Euclid Heights Realty Company ultimately fell into financial difficulties and failure does not detract from the credit due to the president of that company, Mr. Patrick Calhoun, for having initiated and inspired the Heights movement.

Even the fact that ultimately wholesale foreclosure sales were accompanied by a partial setting aside of deed restrictions so as to permit certain sections to become available for apartment house development did not and has not obliterated the present-day evidences of excellent street layout and subdivision platting.

This initial development of the Euclid Heights Realty Company was followed naturally by other developers—more or less limited in scope, most of them of less able planning, some of genuine merit.

The Heights movement was on and residential building speeded apace. The most creditable and one of the finest of the successive developments was that of the Shaker Heights Improvement Company, with an excellent layout and architecturally meritorious building development. Today this particular section has lost none of its fine character and standing.

In between the Shaker Heights Improvement Company and the southerly limits of the original operations of the Euclid Heights Realty Company lay some 150 acres of land comprising the golf course of the Euclid Club and surrounding forest lands owned by John D. Rockefeller. In 1913 this was acquired by the B. R. Deming Company, platted, improved and placed upon the market. The company's operations marked a distinct forward step in character of deed restrictions and they pioneered in the practice of exercising the deed reservation of approval of plans before building. Architectural talent of the highest order was enlisted in coöperation. The result was the nationally known Euclid Golf Neighborhood with a theretofore unattained scale of domestic architectural merit.

Thesetwodevelopments—theShaker Heights Improvement Company and the Euclid Golf Neighborhood—comprised the full length of Fairmount Boulevard and the pioneering attitude of careful control over character of building improvement gave the community the beauty of Fairmount Boulevard and its tributary streets, together with substantial enhancement in land values.

THE SHAKER HEIGHTS DEVELOPMENT OF THE VAN SWERINGENS

While the Euclid Heights Realty Company was getting under way, broad acres to the south were occupied by the farms and homes of the Shakers, who were then beginning to give up their lands in the face of the outward growth of the city. Along about 1905 O. P. and M. J. Van Sweringen began acquiring lands in this Shaker farms area. They lacked one all important element which the other sections of the Heights district had succeeded in acquiring—transportation. Their lands were isolated and the automobile was not yet a common possession of the average family. With the aggressiveness and progressiveness that has made them nationally known figures in more recent years, they set about to remedy the lack. Kingsbury Run, a valley mostly in disuse, suggested a natural transportation route approaching the downtown area. They proceeded to build a rapid transit line down this gully and contracted with the Cleveland Railway Company to operate it and give their lands transportation. Public knowledge that, as a transportation line, it has consistently operated at a loss may or may not be of interest.

The Shaker Heights development was slow in getting started but it persisted. It at least presented one of the most logical avenues of onward expansion as the earlier Heights developments built up. The Van Sweringen Company continually bought, and over a period of time thousands instead of hundreds of acres were acquired. The operations were extended for miles. Their deed restriction control, at first more loosely conceived and applied than the Euclid Golf restriction, for example, evolved into a recognized pattern for closely held control over

housing construction and style. Today Shaker Heights is one of the outstanding extensive fine residential developments of America. It is no longer sufficient to say "I live on the Heights"; it is more the vogue to add "on Shaker Heights."

The territory has succeeded in pulling in four of the most fashionable golf courses of Cleveland. It has the three best known elementary and preparatory private schools. It has the most pretentious public school buildings for a system with a high standing recognized in educational circles. It probably has fewer gasoline service stations than any equally populated area in this part of the country. Here was undoubtedly observed the miles of "respectability."

THE ROCKEFELLER HOMES PROJECT

That traces part, but a major part, of Cleveland residential real estate development to date. The country living movement is, of course, under way. Detached suburban developments have been started on the strength of hoped-for commuter train service. John D. Rockefeller, Jr., has under way his residential contribution to Cleveland, the most ambitious better type of home project in this part of the country. Over three hundred acres of land being built on with solid streets of single homes, built for the market—a development that has already encountered the obstacles to be solved of preconceived zoning regulations and building code requirements that conflict with new and sound ideas of home construction. Its progress will be of immense interest to students of residential development.

With all major residential developments—whether of modest or gigantic scope, there lies two elements of common practicality—transportation and street improvements—sewer, water and

paving. Transportation has time after time been proven an essential element of residential growth. In face of the inroads upon rail passenger travel by the privately-owned motor car—it still remains a necessity.

THE PROBLEM OF TRANSPORTATION

Distance does place a limitation upon the use of the private motor car mode of travel when applied to transportation between home and business in this day of stress of the average business man's and wage earner's occupation. Transportation cannot economically precede residential development on a self-supporting basis. It is less able to do so today than formerly. Cleveland transportation facilities have been in tune with the type, character, and scope of its residential development. There are evidences of its getting out of mesh with the gears of its residential situation—particularly as applied to the more thickly populated and older areas. The Van Sweringens, through their Metropolitan Utilities Inc., hold voting control of the Cleveland Railway Company stock. They have extensive plans for furnishing rapid transit service to the outlying suburban areas both east and west. What the provisions will be for the close-in and more densely populated areas is not yet known.

WHO SHOULD PAY FOR STREET IMPROVEMENTS?

Of paramount interest to observers of municipal affairs is the other practical elements of residential development—street improvements. The relative advantages and disadvantages of improvements financed and installed privately by the subdivider or financed and installed by the municipality and assessed against the benefited frontage constitutes an important item for consideration. While the platting of

record of an excessive surplus of residential sublots is an evil, it in itself is minor to excessive improvement with sewer, water and paving of those surplus lots. If privately installed, the community need not concern itself—error of judgment will bring its own reward to the private interest. If publicly financed and installed it is a serious thing to the community. Practically all of Shaker Heights streets have been publicly improved. The financial resourcefulness of the developers has perhaps had considerable bearing on the avoidance of untoward results to the municipality. Certainly the comparative rapidity of population growth in Shaker Heights has thus far justified the practice. In other Cleveland residential suburbs the excessive installation of street improvement in advance

of normal consumption of sublots by home builders has had disastrous effects upon the municipality's financial standing and the stability of land values.

The economics of urban land is of vital importance to municipality and realtor alike. The degree to which development gets out of balance with sound economics, measures the degree of the grief to follow.

There are utilitarian and practical sides to a large city's residential development, and there are the decorative, the artistic and "respectability" sides. Some of Greater Cleveland's residential communities are confronted with unsolved problems in the former category. In the latter, Cleveland has an unusual abundance of splendid attainment.

COUNTY REFORM AND METROPOLITAN GOVERNMENT

BY WILLIAM A. GREENLUND

Chairman, Fact Finding Committee of the Regional Government Committee of 400

Reform of Cleveland's Metropolitan Government now linked with proposals to remodel county government throughout the state by home rule grant to all counties. :: :: :: :: :: :: ::

THE July, 1929, issue of the REVIEW gave an account of the progress toward metropolitan government in Cleveland and Cuyahoga County. This article traced the course of the Regional Government Committee's work in endeavoring to secure the submission of a constitutional amendment to the electorate of the state which would permit the adoption of metropolitan or regional governments for the large urban counties of the state. As related there, the amendment failed of passage by the

legislature for submission to the electorate.

This failure, however, in no sense means the end of efforts toward some form of regional government for Cuyahoga County. In fact, a new plan of campaign upon a broader basis is now under way.

In May of this year at the request of the Akron Chamber of Commerce, the Ohio Chamber of Commerce (a state-wide organization) issued a call to all chambers in the state and various other

organizations. The purpose of this conference was to test the sentiment throughout the state for the remodeling of county government and the consideration of the special needs of the large urban counties, notably Cuyahoga County. Upwards of one hundred delegates attended from various parts of the state. Other organizations were invited including the farm organizations which were generously represented. In fact the conference was under the chairmanship of Mr. Walter F. Kirk, master, Ohio State Grange.

GREATER FREEDOM FOR COUNTIES

The conference developed into a spirited discussion of the need for amending the constitution to make possible the modernizing of county government and of the problems of urban counties, principally Cuyahoga County. The most surprising and welcome aspect of the discussion was the complete unanimity of opinion that the time had come when a determined effort should be made to remove the constitutional shackles preventing either the legislature or the people themselves from tackling the problem of our antiquated form of county government. It was recognized also that Cuyahoga County, containing upwards of one-fifth of the population of the state, has governmental problems which are in large measure peculiar to itself. It was the concensus of opinion that Cuyahoga County, if it desires, should be given an opportunity to work out its governmental destiny in a way which is appropriate to the metropolitan conditions which exist in this area.

The upshot of the conference was, first, that it was the sentiment of the group assembled that the Ohio Chamber of Commerce should sponsor an effort to secure the submission of a

constitutional amendment to the electorate of the state repealing the present provisions of the constitution relating to county government and, second, that this amendment (or a separate amendment) should contain provisions dealing with the special problems of Cuyahoga County. A drafting committee of sixteen was chosen to formulate a proposed amendment with instructions that the committee report back to the conference at an early date.

The drafting committee has been proceeding with its work during the summer. Several tentative drafts of an amendment have been prepared and revised and it seems certain that a carefully considered draft will be completed and plans made for its introduction into the general assembly when it meets in January next.

The Regional Government Committee of Cuyahoga County, the citizens' group appointed in 1927, is coöperating with the conference called by the Ohio Chamber of Commerce and the drafting committee which has been at work. The coöperation of the citizens' committee is being effected through its research committee. The members of this committee, under the chairmanship of Leyton E. Carter, are working with the drafting committee to determine the exact phraseology of the proposed amendment.

WHAT THE AMENDMENT WILL PROVIDE

While it is too early to give information upon the exact form and content of the amendment it is assumed that it will provide, first, for the repeal of the existing sections of the constitution relating to county government and, second, leave the way open for the legislature to deal with the whole problem of county government and also perhaps make possible the drafting of alternate forms of county government which could be selected by vote of

county electorates and, third, provide for the special needs of Cuyahoga County as the chief metropolitan county in the state.

It has been the matured conviction of the regional government group that the prime requirement in the setting up of some regional or metropolitan form of government for Cuyahoga County is that there be a redistribution of powers between existing municipalities within the county and a rehabilitated county government. It is assumed that such a distribution of powers will grant certain outstanding metropolitan functions to a central county government having jurisdiction over the entire area and allow the municipalities, large and small, to retain local functions and powers.

Results of the last census verify, in a convincing manner, the fact of a growing dispersion of population throughout the county area and the necessity from various points of view of making the governmental arrangements within

the county conform with the unmistakable trends of economic and social development.

Those interested in Cuyahoga County problems are gratified that the Ohio Chamber of Commerce, the farm organizations and other state-wide organizations, are exhibiting such a keen interest in the whole matter of remodeling county government throughout the state and are likewise gratified that the representatives of these civic bodies recognize clearly that Cuyahoga County, the chief metropolitan center of the state, has its own aggravated governmental problems which have grown out of its unrelenting metropolitan expansion. It would appear at this writing that a carefully framed amendment, sponsored by state-wide interests and organizations, will have a better chance of passage than the amendment which was introduced last year sponsored chiefly by the Citizens' Committee of Cuyahoga County.

CLEVELAND SCHOOL BOARD ADHERES TO PAY-AS-YOU-GO

BY G. A. GESELL

Clerk-Treasurer, Board of Education

The Smith One Per Cent Law compelled the abandonment of pay-as-you-go but liberalizing legislation passed in 1925 is permitting the Cleveland School Board to return to its original policy. Large savings for taxpayers effected. :: :: :: :: :: ::

PRIOR to the enactment of the Smith Tax Limit Law of 1911 most of the Cleveland school buildings were constructed from tax revenues. In the period from 1904 to 1910 sixty per cent of new construction was financed out of tax levies and the annual charges for interest and sinking fund were only \$200,000. After 1912 the schools were unable, because of the severe tax limits of the Smith Law, to use any part of their tax revenues for buildings and the annual debt charges began to run into the millions.

COMPELLED TO ABANDON PAY-AS-YOU-GO

This practice was not abandoned by reason of any defects of its own, but because restrictions of the law deprived the board of the levies formerly used for building purposes. Hence, bonds had to be issued whenever a building program was undertaken. As the amount of bonds increased the tax to pay for them rose until it approached the same rate as would be necessary to pay for the annual building program. The period of temporary relief afforded by the Smith Law proved to be a short one with added cost to the present and future taxpayers.

Five years ago the outstanding indebtedness of the Cleveland School District was \$33,000,000 and the annual debt requirements were \$3,350,-

000. The board of education was confronted at that time with the problem of financing a \$15,000,000 building program.

For several years the board had taken the attitude that bonding is an unsound means of financing school buildings. Therefore, when the general assembly passed a law in 1925 permitting the people to provide a building levy, the board in harmony with its attitude in the past, proposed to submit the question of such a levy to the voters at the November election.

There was created in the summer of 1925 by resolution of the city council of Cleveland an unofficial Citizens' Advisory Committee, representing the three major taxing districts of the county and organized to consider the capital expenditure programs to be submitted to the voters in the November election. The sphere of activity of the committee was not limited to a consideration of the relative merits of the permanent improvement programs of the city, county and the schools but was specifically charged by the resolution to give consideration "to the financing of improvements directly from taxation in lieu of borrowing."

RETURN TO PAY-AS-YOU-GO URGED

The board of education addressed a communication to the Citizens' Advisory Committee submitting its build-

ing requirements for a period of five years and urged the importance of returning to the pay-as-you-go method of financing school buildings. The board recognized that an overnight change to the direct levy would result in a sharp rise in the tax rate and therefore presented the alternative of a gradual abandonment of borrowing. "It is possible," read the communication, "for the board if given a sufficient levy by the voters, to carry on its building program without any further issuance of bonds. Or, it is possible to combine the two methods, gradually increasing the direct tax and diminishing the borrowing until in a few years borrowing can be almost discontinued."

The Citizens' Advisory Committee declared in favor of the board's objective of financing school buildings out of current revenues provided it could be introduced without bulging the tax rate. The result of several conferences was the submission to the voters of a graduated tax levy beginning with two-tenths of one mill for 1926 and scaling up to five-tenths of one mill for 1930.

The daily press and civic bodies, without exception, urged the approval of the special levy. The Citizens' League, an association interested in the promotion of good government, addressing itself to the board's proposal made the following recommendation:

These levies, increasing year by year, are intended to supply funds for the construction of new buildings from direct taxes rather than by the more expensive method of borrowing and issuing interest-bearing bonds for that purpose. It will enable the board of education gradually to place the schools on a pay-as-you-go basis and to abandon the present methods of issuing bonds for these permanent improvements. These levies should, in the interest of economy, be approved by the voters.

The voters, apparently, were convinced that the escape from pyramiding

debt charges lay in a direct tax levy and expressed themselves accordingly at the polls by the decisive vote of 54,786 for the proposition and 26,664 against it.

DEBT REDUCED DURING FIVE-YEAR BUILDING PROGRAM

The five-year authorization to levy this direct tax expires at the end of 1930. During this period the board of education consummated an ambitious building program. It completed the construction of ten elementary schools, four junior high schools, one major senior high school, additions and alterations to four other school buildings, and the financing of the new administration building.

It is gratifying to report that this five-year building achievement was financed without increasing the indebtedness of this school district. When the board submitted its special levy in 1925 the outstanding indebtedness was \$33,000,000. When the renewal of this levy is voted upon this fall, the indebtedness will be \$27,000,000, a decrease of \$6,000,000.

In the five-year period, the direct levy produced \$3,300,000 on a tax duplicate of approximately two billion dollars. In addition to these levies, the board transferred \$1,000,000 from its general fund to the permanent improvement fund. This transfer was made possible by certain savings which accrued in the financing of the current expenses of the schools. Sixty per cent of the construction program since 1925 has been financed out of the proceeds of bonds and forty per cent out of current revenues.

IMMEDIATE BUILDING PROGRAM TO BE FINANCED BY TAXES

The immediate building program confronting the board of education includes the construction of three senior

high schools, and the additions to one junior high school and three elementary schools. The cost of these improvements will be approximately \$4,000,000.

The board in its determination to get on a pay-as-we-go basis has decided to finance this program without submitting a bond issue at the November election. The request of this school district will be confined to a resubmission for five years of a .5 mill building levy.

The board has a balance in its building fund of \$1,500,000. It proposes to transfer \$300,000 from its operating fund and is giving consideration to the transfer of \$450,000 from its fire insurance replacement fund. The monies in the replacement fund have been accruing since 1919. In that year the board discontinued the payment of premiums to private insurance companies and adopted the policy of carrying its own insurance by appropriating each year an amount equivalent to the insurance premiums. Our experience with fire losses would appear to justify the abolishing of this fund and this we propose to do by investing it in a new school building.

The issuance of bonds during the next five-year period cannot be entirely discontinued. The probabilities are that if the special levy is renewed the indebtedness of this school district will drop from \$27,000,000 in 1931 to \$17,000,000 in 1935.

SAVINGS BY AVOIDING BOND ISSUES

The tremendous savings that are being effected in interest charges by this transition to the pay-as-we-go policy is only part of the story. Forty per cent of the annual debt charge is interest. The administration costs in the issuance of bonds which include election costs, advertising, legal services, engraving and the clerical services required to redeem the bonds and interest coupons are expenditures which disappear under a pay-as-we-go policy.

The cost of constructing new buildings has been appreciably reduced in the past five years by the establishment of a standard plan for elementary and junior high schools. The architectural and operating savings that we have made in duplicating schools is attributable to the limitation of funds that have been made available by meeting the entire costs immediately.

The annual debt charges of this school district exceed by \$1,500,000 the annual building budget. The debt curve will drop sharply each year. There is every indication that the outstanding indebtedness of the Cleveland School District will not exceed \$10,000,000 in 1940. Debt charges will again be expressed in hundreds of thousands of dollars instead of millions. In fifteen years the objective of the board of education will have been achieved.

HOW THE TAYLER GRANT IS OPERATING

AS OF AUGUST 30, 1930

BY ARTHUR F. BLASER

Chief Engineer, City Street Railroad Commissioner

The Tayler Grant franchise of 1910, a pioneer in service-at-cost and city-company partnership, has served the people well. :: :: ::

A CITY cannot thrive and prosper without a good transportation system. Lack of elasticity in its arterial system is a sign of old age in a city quite as much as in the human body. Periods of distress and crises, calling for wise decisions, may arise in the life history of one as in the other.

VAN SWERINGEN COMPANY RAISES NEW PROBLEM

At the present time the City of Cleveland has come to the crossroads in the further evolution of its transportation facilities. Two lines of development have come out of the past: one, a surface street car system, local in character, with a history of fifty years or more of service, and operated in recent years by the Cleveland Railway Company; the other, a rapid transit development, with its origin somewhat less remote, with comparatively little actual operation to its credit, but with foundations for rapid transit, laid along broad lines, with ordinances granting ample rights and authority to occupy a large portion of the metropolitan area, under the control of the Van Sweringen interests. These rapid transit plans are rapidly maturing, and actual operation of this service into the new Terminal by the Cleveland Interurban Railroad Company has just begun. It is this situation of one company, almost the sole agent in the field in years past, and

another company entering the field, even though with a service somewhat different in character, that compels decisions of vital importance to the future welfare of Cleveland. Which road are we going to take?

Shall each of these two services occupy the field independently, and pursue its own separate course under the rights and authority granted by the terms of its various ordinances? Such a course would inevitably result in a division of the business and revenues to be derived from serving this community, and very likely, to a return of the earlier competitive methods of operating street railways. In the face of the declining patronage of recent years, this policy seems destined to failure and possible disaster. Shall these two services be coördinated—the surface and more local system, combined with the rapid transit system—to form one comprehensive unit? This plan should hold out far greater promise of success for the future. In view of the fact that both properties are now controlled by the same interests, the difficulties involved should not be insurmountable.

The writer's prediction is that even with this coöperative effort assured, very careful management will be necessary for many years to come, to insure success. Viewed as a transportation problem alone, the combined system may not be a profitable venture in the

early years, for we must remember that while the transportation facilities are being greatly increased, the car-riders have been steadily diminishing in recent years. Financial assistance may have to come by assessment in some form against the enhancement of land values and property values, created by the transportation facility itself. Increased property values and land values, created in this way by transit arteries, are not imaginary. Usually, these values may be actually bought and sold, and hence may be measured in fairly accurate amounts.

NOW IN TRANSITION PERIOD

Cleveland is distinctly in a transition period. On July 20 of this year the first rapid transit cars from Shaker Heights and South Moreland Boulevard entered the new Union Terminal at the Public Square. Similar rapid transit services are contemplated along the Nickel Plate right-of-way, easterly; and later on, westerly into this same Terminal. Commuter service has also made its appearance on several of the steam railroad lines from outlying suburbs into this Terminal, changing power in the electrified zone through the Terminal. The character of our transportation in metropolitan Cleveland is, therefore, undergoing a radical change. What was a purely local surface street car system in 1910, and supplemented in 1926 by the addition of a fleet of motor coaches, all under the control of the Tayler Grant, is now to be further supplemented by the addition of rapid transit lines. Whether this new service will be entirely independent in its management and operation, or coördinated into one transportation system, is not apparent at this time. Whether this service will be regulated as to rates of fare, stops and transfer privileges, by the City of Cleveland, as contemplated by the original Cleveland

Union Terminals Company's Ordinance of 1919, or by the Public Utilities Commission of Ohio, is also a matter hanging in the balance at the present time.

THE TAYLER GRANT

In the light of this situation, it is somewhat difficult to state how the Tayler Grant is operating. The Tayler Grant of the past, and the present, certainly covers two different aspects of our transportation problem, and the future promises still more radical changes. Judged in the light of the immediate present, the outlook in Cleveland, in common with many other railway properties, is somewhat pessimistic. The Interest Fund, which regulates the rate of fare, is not only below \$500,000, the point at which the rate of fare should be increased, but has almost reached zero. On January 1 of this year, the rate of fare was increased from rate "D," 7 cents cash, 8 tickets for 50 cents, and 1 cent for transfer; to rate "C," 8 cents cash, 7 tickets for 50 cents and 1 cent for transfer. This higher rate of fare was effective in producing more revenue for a period of four months only, over the corresponding months of the previous year. In May, June, July and August of this year, the revenues have increasingly fallen below the corresponding months of 1929. Apparently, increasing the rate of fare is not an adequate answer. We are passing through a financial "low," and the Tayler Grant has not prevented it. Passengers are still falling off, and the Tayler Grant seems powerless to prevent it. It must be remembered, however, that the Tayler Grant cannot set aside economic law. It cannot prevent widespread business depression such as that which we are now experiencing. In the business world the railway industry assumes an entirely secondary character. When

general business is good, it usually follows that the railway industry prospers. When shops and factories are closed, the railway industry suffers accordingly.

CHANGED CONDITIONS SINCE TAYLER GRANT WAS CONCEIVED

Turning to the past, the Tayler Grant has been in operation in Cleveland since 1910. Most of the readers of the *NATIONAL MUNICIPAL REVIEW* are entirely familiar with its main features. It is an instrument conceived at a time when conditions were far different from what they are today. Competition with the automobile did not exist. Passengers were to be had in large numbers and were increasing year by year. The Cleveland Railway Company had practically a monopoly, and large profits were possible, because hauls were short, and short hauls in densely populated areas make profitable railway operation. Under these circumstances the city became a vitally interested party in 1910, and the ordinance establishing "service-at-cost" was enacted. While the "service-at-cost" principle is usually considered the central feature of the Tayler Grant, we shall probably find that the city's active participation in the operation of the railway system, will, in the future, be considered a more important feature.

CITY A PARTNER OF THE COMPANY

From the very beginning, the city appears as an active partner under the agreement. The valuation of the property was made jointly by city and company representatives. The city reserved to itself the entire control of the service; and the company received for such service, a fixed return and the security of its property, to the extent that this could be guaranteed in the Grant. There is included in the agreement an automatic regulation of fares,

which has provided an elasticity in the Tayler Grant absolutely necessary in any modern railway ordinance. Through the office of the City Street Railroad Commissioner, the city keeps informed on all railway matters, and exercises its control of the service, and its check on the cost of the service. The city is an active participant in all extensions, betterments and permanent improvements, which cannot be made without the city's consent. The city's consent must be obtained in making extensions in suburbs. All of these features, and many other related ones, have thrown a large measure of responsibility on the city in the operation of our railway system.

A 2-CENT FARE FOR A SHORT RIDE

But what of the future? First of all, the rail and bus services in any city, like Cleveland, are no longer a monopoly; but in fact, highly competitive, and some of the features of the Tayler Grant, which were of primary importance to the city years ago, may well come to assume a lesser importance. For example, it is quite inconceivable that under present conditions a transportation company, privately owned and operated, could make unlimited profits. This is true because there is a distinct limit to the rate of fare that can be charged, and particularly so for a short haul.

An interesting experiment is under way at the present time on Euclid Avenue bearing on this fact. A 2-cent zone has been established on Euclid Avenue, between East Eighteenth Street and the Public Square, effective since July 14, 1930. Here the pedestrian may take a short ride for 2 cents without, however, the privilege of a transfer. Formerly he was required to pay the regular rate of fare in the city, 8 cents cash, or a ticket at the rate of 7 for 50 cents.

At the 2-cent rate we are carrying somewhat over 9,000 passengers per day; and at the former regular rate we were carrying in excess of 3,000 passengers per day. This is an increase of more than three times as many passengers. While this experiment is not impressive as a revenue measure, it must command the respect of all students of this problem, from the standpoint of patronage.

I say the return to the company is limited, both because of patronage, and because of the higher rates of fare which are necessary for present-day operation. Many people do not want to ride in street cars and buses, and many more do not have to use these services, for they have an alternative in a second-hand flivver, if nothing else. Competition in a very real sense has returned, and purely regulatory measures as regards service and rates on the part of the city, will probably assume less importance.

RAPID TRANSIT NOW A NECESSITY

A second very vital change is also slowly but surely transforming our transportation system: the change from "local surface" lines alone, to the inclusion of rapid transit lines, is a necessity. Our streets have become congested; traffic lights and various other traffic regulations have tended to reduce our surface cars to slow speeds. We are living in a fast-moving age. When we return to our native haunts of 25 or 30 years ago, we are surprised to find how all our childhood distances have shrunk. Even the hills seem less steep—certainly contracted. We consume distance so fast now that our measuring stick of long ago has actually changed. We refuse to ride a street car through congested areas for a distance of 8 or 10 miles, consuming an hour in the morning and again in the evening. We prefer a rapid

transit ride from the 10 or 12-mile circle into the heart of the city in 20 or 25 minutes.

Such a service is actually in operation in Cleveland on the Shaker Heights and South Moreland Boulevard lines since July 20 of this year. One glance at the recent census map of metropolitan Cleveland further emphasizes this change. There is a large area reaching out as far as East Fifty-fifth Street, and an equal distance on the west-side, where the population has actually receded. In the very early years these boundaries marked the limits of railway operation. This same map indicates large suburban areas surrounding the city, in which the population has increased up to 500 per cent. Well chosen rapid transit lines, rather than surface cars alone, is the only adequate answer to this modern development.

TAYLER GRANT HAS GIVEN GOOD SERVICE

How is the Tayler Grant fitting into this new picture? I have already indicated that the jurisdiction over this new rapid transit service is in dispute as between the city authorities and the State. We are faced with these alternatives; either dual control in metropolitan Cleveland, with the city, under the Tayler Grant, in control of all former railway and bus service; and the Public Utilities Commission of Ohio in control over the new service; or else, city control over the combined operation.

In conclusion, I may say that the Tayler Grant has been an exceedingly valuable instrument in the past. It has given us excellent railway service under a partnership agreement for twenty years. Probably its most valuable aspect, if not its most distinctive one, has been active city participation in the operation and expansion of the system. This same active interest on the part of the city, I believe, will be

even more necessary in the future, for no public utility will go far without the good will of the community. The emphasis, however, should shift in accordance with the new conditions—less attention given to purely regulatory features, and far more consideration to the larger questions of proper development and coördination of local and

rapid transit lines, and to financing. It may well be that for the welfare of the community, private interests and the city must coöperate in finding a way of supplementing the revenues produced by the car-rider, if we are to have just as adequate highways for mass transportation, as we do for individual transportation.

THE CLEVELAND METROPOLITAN PARK SYSTEM

BY W. A. STINCHCOMB

Director, Cleveland Metropolitan Park District

Cleveland's 9,031 acres of park lands were enjoyed by more than 1,500,000 persons last year. More than four million dollars has already been spent on them. :: :: :: :: :: :: ::

FOR about twelve years metropolitan Cleveland has been engaged in building a metropolitan park system, which would be adequate to serve the recreational and cultural needs of this great urban community.

These twelve years of activity were preceded by many years of agitation on the part of a handful of earnest enthusiasts who foresaw the day when, unless definite steps were taken, Cleveland would find its park facilities entirely insufficient.

In 1911, the first bill to provide for a county park system around Cleveland was prepared and submitted to the legislature by this group of enthusiasts.

Ohio, however, is like most of the states of the union in that its legislature is controlled by delegates from the rural sections, who have not always been able to see the needs and requirements of the large metropolitan and industrial centers. The bill, as sub-

mitted, failed of passage but out of the agitation that ensued, the legislature did pass a bill providing for the creation of a county park board, which might receive donations of land, monies or other property and hold and use them in the name of the county.

While this act created a public board, it provided no means for it to function and as a natural consequence, little actual progress was made. By reason, however, of the appointment of the board, the park movement in the community was kept alive. Public attention was constantly focused on the need of additional legislation which would permit the execution of comprehensive plans along this line.

At its next session the legislature broadened the powers of the board and permitted boards of county commissioners to contribute, from general county funds, monies for carrying out park work.

With appropriations made by the

county commissioners, a complete plan for a metropolitan park system, surrounding Cleveland, was prepared, based upon topographical surveys made at that time. Before its final adoption by the park board, it was given careful study by Frederick Law Olmstead and approved by him. This plan was presented to the National Conference on City Planning, held in Cleveland in June, 1916, and widely approved.

Difficulties soon arose due to the fact that the park board, created under the legislation referred to, was a county board. The validity of the act was soon attacked in the courts on the ground that the members of this board were county officers and as such, under the constitution of Ohio, had to be elected. The case was carried to the Supreme Court and the ruling of the court was in favor of the plaintiff and the park board was thereupon put out of existence.

A PARK DISTRICT ESTABLISHED

The decision of the court had been anticipated and as the legislature was in session when the legal action was begun, a bill was drawn providing for the creation of park districts. This established separate and distinct political subdivisions of the state and provided for the appointment of boards of three members, named by the probate court of the county in which the district was first formed. The bill was passed, the district was created and a park district board was appointed. This is the present form of the Cleveland Metropolitan Park Board.

Members of the park board, under the park district law, are appointed for terms of three years, one member's time expiring on the first day of January each year. Appointment by the probate judge removes the appointees, very largely, from political or other im-

proper influences. The overlapping terms insure a continuity in plan and policy essential to the development of such a project. The law made the park board a taxing body and permitted it, subject to the approval of the budget commission, to levy a tax not in excess of one-tenth of one mill. It permitted the board to submit to the electors of the district, the proposition of an additional levy of not more than one-tenth of one mill at any one election.

As a result, the park board was able for the first time, in laying out the park system, to recognize natural advantages and boundaries instead of county lines. Under the law, territory outside of the county in which the district was first created, may, by proper proceedings, become annexed to the park district and when so annexed, enjoy all the privileges of the original territory and assume all of the obligations of that area.

BASIC PLAN UTILIZES BEDS OF STREAMS

The basic plan of the Cleveland Metropolitan Park System called, in large measure, for the utilization of the valleys of streams for park purposes. The district was fortunate in that its topography lent itself to such a plan. By means of the valleys of Rocky River and Chagrin River, to the west and east respectively, and of Chippewa Creek and Tinker's Creek, in the south, a belt of encircling parkway was provided around three sides of the metropolitan park area, with Lake Erie on the north.

The plan called for approximately 15,000 acres of park lands, located generally in this semi-circle about the metropolitan area. The major park reservations were to be connected by boulevarded highways. The Euclid and the Big Creek valleys linked the built-up and developed sections of

Cleveland with the parkways in the outer belt.

The soundness of this original conception is demonstrated by the fact that there has been little deviation from it. The metropolitan system, as it is today, is virtually the system first mapped more than a dozen years ago.

THE REGION'S TOPOGRAPHY

Cuyahoga County is decidedly rough and rugged in its contour, after the lake base is left behind. Within the City of Cleveland is the genesis of the Allegheny Mountains.

The county is traversed by three major streams and numerous branches. On the west Rocky River has cut a deep gorge through the shale which closely underlies this particular section. The valley of the river varies greatly in width with a maximum of well over a mile. Some six or seven miles from the mouth is the junction of the east and west forks and the location of Cedar Point, a geological formation of very considerable interest. Big Creek, a branch of Cuyahoga River, connects the metropolitan system with that of Cleveland.

The next stream to the east is the Cuyahoga River. Within the city this serves as a natural harbor and its banks are lined with mills and warehouses. Further south it becomes a winding, meandering bit of water of great natural beauty. Tinker's Creek and Chippewa Creek, the sites of two of the largest reservations, flow into the Cuyahoga in the southern portion of the county.

At the eastern limits of the county is the Chagrin River, so named by early settlers who mistook it for the Cuyahoga.

The Chagrin valley is one of the most beautiful in northern Ohio. Here the park reservations are on high and

broken lands on the valley's rim rather than in the valley itself.

Economically the land with which the park board had to work is worth very little. Because of the very nature of the terrain, railroads have generally given it a wide berth and so removed definitely any industrial possibilities. It is too broken for agricultural purposes and little of it suitable for the construction of homes.

Left to itself much of it would inevitably have gone the way of so many valleys in or near our great cities. As urban development encroached, the valleys would have become the last refuge of rubbish, broken cars and the waste products of a great city. Polluted waters would have made these valleys a sanitary, as well as an æsthetic menace. The park board has rescued the area from this dismal fate.

VOTERS APPROVE THE PARK SYSTEM

In 1918 the board acquired its first property; only a few acres. This was increased slightly in 1919 and in 1920 the voters of the district were asked for further financial aid in the form of a one-tenth mill tax levy for a period of ten years. The funds to finance the campaign were privately subscribed and an aggressive effort was made to educate the public regarding the value and possibilities of the park system. As less than 1,000 acres had actually been purchased it was necessary to emphasize the growing need and importance of assuring Cleveland of sufficient and accessible recreational areas.

The proposal received wide support and when the votes were counted it was found that the park issue had passed overwhelmingly. So the board was assured of approximately \$250,000 a year for the next decade. This, added to the income it was already receiving, made an average total of

between \$400,000 and \$450,000 a year. The board was now in a position really to begin to round out the park system.

It had already set the policy of encouraging property owners to deed tracts needed for the system. This was not altogether an altruistic act on the part of land owners, for immediately the value of their adjoining holdings increased in desirability as home sites. Carefully considered restrictions were placed on adjacent land so that the beauty of the parks would not be destroyed. This policy, together with the improved financial position of the board, changed the parks from mere paper plans to actualities. Prior to 1920 the board had acquired only 109 acres. In 1921 this was increased by 716, in 1922 by 997, in 1923 by 1668, and in 1924 by 90 acres.

During this last year, the board submitted a second one-tenth mill tax levy to the voters. This carried and the annual resources approached the three quarter million mark.

In 1924, 928 acres were added; in 1925, 1,110; in 1926, 1,678; in 1927, 576; in 1928, 392; and in 1929, 767, making a total of 9,031 acres, now divided into nine distinct reservations.

9,031 ACRES OF PARKS

Rocky River Reservation extends from close to the mouth, southward for nearly thirteen miles. Its total acreage is now over 3,000. Within the reservation are a nine and an eighteen-hole golf course, nearly eleven miles of bridle paths, four and a half miles of foot trails, a nature trail, four ball diamonds, four picnic grounds, and two summer camps maintained by welfare organizations.

Huntington Park is on the shore of Lake Erie. While only 100 acres in extent, its bathing beach, ball diamonds and picnic grounds attract as

many as 10,000 on a fine Sunday afternoon.

Big Creek Reservation is in the southwestern section of the city. It has 355 acres with two and a half miles of bridle paths, a mile of foot trails, a ball diamond, and two picnic grounds.

At Hinckley, a realistic, truly beautiful 100-acre lake has been created by damming one of the branches of the Rocky River. Hinckley Reservation has 678 acres and is the site of the famous Whipp's Ledges, which tower precipitously for one and two hundred feet. Facilities for public enjoyment are two and a half miles of bridle paths, six and a half miles of foot trails, a ball diamond, two picnic grounds, and a swimming pool. The lake has been stocked and limited fishing privileges are allowed.

South Chagrin has an extent of 486 acres with three and a half miles of bridle paths, two and a half miles of foot trails, a ball diamond, picnic ground, and nature trail.

North Chagrin's acreage of 1,188 makes it the third largest reservation. Its nearness to the thickly populated northeastern section of the city has made it one of the most popular of the park units. Because of both its size and popularity, it has been generously developed. There are six and a half miles of bridle trails, eleven and a half miles of foot paths, three ball diamonds, three picnic grounds, a nature trail, and a boys' camp.

Euclid Creek is largely the work of nature and few attempts have been made to change this area from an undeveloped bit of wilderness. Here are a ball diamond, picnic ground, boys' summer camp, and a swimming pool.

The Brecksville Reservation is nearly due south from Cleveland. It has 1,647 acres. There are four and a half miles of bridle paths, ten and a half miles of foot trails, two ball diamonds,

two swimming pools, a nature trail, a picnic ground, and two boys' summer camps. The Harriet Keeler Memorial is also located at Brecksville. Miss Keeler was a teacher in Cleveland for many years, author of books on trees and flowers and one of the pioneers in nature study in this region.

SLEEPY HOLLOW GOLF COURSE

The Sleepy Hollow Country Club golf course is also located within the Brecksville Reservation. Previous to the acquisition of land by the park board the founders of this club had contracted for a tract upon which to build the golf course and had constructed a nine-hole course. The board was able to secure the deed to the land, then under contract to the Country Club, at a price very much lower than that which the club had agreed to buy it. Upon its acquisition a lease was entered into with the Country Club, providing for the construction of an eighteen-hole golf course and clubhouse. All plans were to be subject to the approval of the park board and the cost was to be in excess of interest compounded on the cost of the land. For a period of over twenty-five years these improvements were to be maintained at one hundred per cent value and at the expiration of the lease, the course, with all improvements, was to become the property of the park board. This arrangement insures future golfing facilities without public expense. The agreement is particularly fortunate as the board found itself without funds to construct its own course.

The last of the nine reservations is in Tinker's Creek valley at Bedford. Eleven hundred and twelve acres have already been acquired and six miles of bridle paths, eight and a half miles of foot trails, a Girl Scouts' summer camp, two ball diamonds, and two picnic grounds have been built.

Three nurseries have been established in two of the reservations. More than 135,000 trees were planted permanently during 1929 and nearly 370,000 seedlings placed in the nurseries during the same year.

The nature trails are being widely used and follow the pattern of those constructed at Bear Mountain. They were built with the coöperation of the Cleveland Museum of Natural History. The summer camps listed above are all operated through various welfare organizations. Any such group may establish a camp if the need has been established by the Welfare Federation.

The park board neither owns nor operates riding stables, but one or more have been privately built on the edge of all of the major reservations. This arrangement seems satisfactory and does not involve the board in additional enterprises.

Until two or three years ago much of the board's income was spent for the purchase of land. This was done so the greatest possible acreage might be acquired before land prices became prohibitive. The wisdom of this step has been shown repeatedly as property values in the neighborhood of the parks have increased many times.

The problem of providing facilities for the constantly increasing stream of visitors is becoming more and more serious. This is especially true as it concerns the construction of roads leading into these great reservations. Because of the very nature of the terrain, road building involves enormous expense, but in spite of this fact some seventeen miles were built during the past year.

Stream pollution is another question which has constantly faced the board and is now being dealt with through the coöperation of the county, various municipalities, and the state. Com-

prehensive sewage disposal plans have been made and will be put into force.

OPPONENTS RAISE LEGAL DIFFICULTIES

The board's accomplishments have not been without serious opposition, particularly in the acquisition of land and on the part of some owners who were not disposed to take a reasonable and fair price for their property in accordance with awards made by juries in the courts. Because of this many suits have been brought claiming on various grounds that the park law was unconstitutional.

The law was unique in that it rested upon the provision that the Ohio Constitution, which provided for the enactment of legislation to conserve and protect the natural resources of the state. It was contended that the work which the park board was doing did conserve natural resources of the community and that these natural parkways and public reservations, in rather close proximity to a great industrial and congested area, were indeed a form of natural resource of ever-increasing value to the public.

Opponents of the park board also claimed that the law was unconstitutional in that it provided for the appointment of public administrative officers and that it provided for a tax levy through such appointed officers.

In several cases which were carried to

the Supreme Court of Ohio and in one of which eventually reached the Supreme Court of the United States, the constitutionality of the act was affirmed. It is believed that the Park District Law of Ohio rests upon a secure constitutional foundation.

FOUR MILLION DOLLARS EXPENDED

In the twelve years of its existence the board has spent nearly \$4,000,000 in acquiring and improving nearly 10,000 acres of land. At no time has any effort been made to "park" the reservations. Rather has the purpose been to keep them in their natural state as out-door refuges for man, animal and bird. Within the park lands are many hundreds of acres, whose natural beauty is untouched and unharmed.

The task of conserving these areas has attracted Cleveland's foremost citizens. The president of the board is Warren S. Hayden, of Hayden, Miller and Company, an outstanding financial firm; the vice-president is Andrew Squire, head of Cleveland's largest law firm; and the third member is Cyrus S. Eaton of the Republic Steel Company.

That Clevelanders appreciate the advantages offered by the parks is evidenced by the fact that last year more than 1,500,000 enjoyed these recreational spots, and this year that total will be greatly increased.

RECENT BOOKS REVIEWED

COUNTY PARKS. A Report of a Study of County Parks in the United States. Playground and Recreation Association of America. 315 Fourth Avenue, New York. 1930. 150 pp.

This is a timely and useful report, well arranged and attractively presented. Beginning with an adequate discussion of the development of county parks and describing in some detail several good examples of county park systems, the report includes chapters on Legislation, Finance, Establishing the County Park System, Administration, Human Uses of County Parks, and the Economic and Social Effects of County Parks. In addition, there are: a brief but useful bibliography; a statistical summary of county park systems; and an analytic summary of county park legislation.

Such a report was badly needed. Data regarding county parks has not been available in a compact form, and no attempt at a comprehensive study of county parks has hitherto been made. The apparent effort of the Playground and Recreation Association to secure first-hand and recent information increases the value of "County Parks" as a reference handbook.

Even those who have followed most closely the growth of county park systems may be surprised to learn that in 1929, sixty-six counties were participating in the movement. Growth of county park acreage during the last few years is astonishing. The Playground and Recreation Association reports a total of 105,943 acres for 1929, whereas, in 1926, a bulletin of the United States department of labor indicated a total of only 67,464 acres of county parks—an increase of 38,479 acres, or more than 57 per cent in three years.

The chapter on Legislation and the summary of county park laws by states, analyzing the various laws and their special features, will be found most useful. There are a few noticeable typographical errors in date and chapter numbers which might be corrected in a later edition.

The reviewer believes that anyone engaged in county park activity will find this report invaluable as a constant reference book. It is to be hoped that the Playground and Recreation Association may find it possible to keep the ma-

terial up to date and issue revisions of *County Parks* from year to year, as new information becomes available.

RUSSELL VAN NEST BLACK.



MINNESOTA YEAR BOOK. Minneapolis: Published by the League of Minnesota Municipalities, 1930. 326 pp.

This first Minnesota Year Book is produced jointly by the staffs of the League of Minnesota Municipalities and the Municipal Reference Bureau of the University of Minnesota under the direction of Morris Lambie. The book is unique in that it confines itself to a factual presentation of the legal bases together with the organization and administration of state and local government in Minnesota. In the past, year books have contained a wide variety of statistical data relating to natural resources, commerce and industry, and have treated information regarding the government in a superficial manner. The Minnesota Year Book presents in brief compact form a complete picture of the organization, and operation of governments in Minnesota. It should be of great value to officials and citizens interested in any phase of government and might well serve as civic text book for the schools of Minnesota.

A calendar of Minnesota Government is given, showing the dates on which officials and citizens must perform various duties for the period, June, 1930, to July, 1931.

State government in Minnesota is treated in a comprehensive manner. Maps showing the congressional, legislative and judicial districts into which the state is divided are accompanied by statements of powers, duties and functions of the legislature and judiciary. The offices, bureaus and institutions of the executive departments of state government are each presented by means of organization charts, brief descriptions of their legal powers and duties and statements of their activities and accomplishments as shown by their recent annual reports.

The organization of county government is presented together with a directory of county officers. After describing the general plan of city and village government, there are given tables

showing the cities which operate with home rule charters, general or special laws, together with a complete directory of city officials.

An important section deals with taxation and finance. Elaborate tables present the tax rates and assessed valuation of cities and villages, the indebtedness of the state, counties and municipalities, statutory limitations on property taxes, special assessment statutes and the total volume of taxation in Minnesota.

A section on Public Utilities presents the rate schedules of public utilities serving Minnesota municipalities with electricity, water, gas, heat and telephones.

The method of grading municipalities into insurance classes and the fire insurance rates are given for each municipality. The book contains information concerning the election procedure, and qualifications for voting, the regulation of business, professions and occupations and directors of state and national associations serving municipalities. The book is well indexed.

The book reveals the large amount of governmental research which is being done in Minnesota by the two organizations issuing the volume. The University and the League are to be congratulated on their ability to produce such a complete and valuable reference book on government. They have blazed a new trail which similar organizations in other states will want to follow.

DON C. SOWERS.



AN ECONOMIC ANALYSIS OF THE CONSTITUTIONAL RESTRICTIONS UPON MUNICIPAL INDEBTEDNESS IN ILLINOIS. By Ward L. Bishop. Urbana: University of Illinois Studies in the Social Sciences, 1928. 113 pp.

Illinois municipalities are struggling today with constitutional restrictions on their power to incur indebtedness that originated back in 1870 when their too liberal subscriptions to railroad corporations were involving them in a policy of debt repudiation. While the 5 per cent limitation established provided an effective check then, its continuance today, in an era of municipal water works, gas works, electric plants, libraries, museums, parks and playgrounds, Professor Bishop shows to be plainly indefensible.

In two introductory chapters the study traces the historical development of the constitutional restrictions on municipal indebtedness and analyzes their judicial interpretation. Some of the more significant rulings cited are as follows: a

contract by a city to pay in monthly installments for water supply, street lights and lighting, and the removal of garbage is within the constitutional limitations, and such a contract by a municipality which has already exhausted its borrowing power is illegal, although the monthly installments and ordinary expenses of the corporation are within its current revenues; the limitation applies to each corporation and is not an aggregate limit upon the debts of corporations covering the same or partly the same geographical area; tax anticipation warrants do not create a debt if the tax be levied at the time the warrants are issued, and the contract provides for their payment only out of that particular fund and levy.

The real value and merit of the work, however, lies in the author's analysis of and conclusions on the efficacy of the limitations. As a method of regulating the amount of indebtedness, he found the constitutional restriction to be indefensible for the following reasons: it does not apply uniformly, because of the variation between assessed value and true value; the creation of special municipal corporations by the legislature substantially and unscientifically raises the limit to which communities may borrow; during a period of rising prices, the assessed value of property does not keep pace with the price level, and the municipalities suffer an actual decline in their power to contract debts; taxable values are an unsatisfactory index of capacity to pay, since they exclude the value of tax-exempt property, and do not give consideration to such indexes as the character of the citizenship, the willingness to shoulder tax burdens, the economic stability of the community; the need for capital outlays depends upon the age and population of the community, and various social, economic and geographic factors which may vary independently of property values.

Professor Bishop also emphasizes that two important consequences have resulted from the failure of the constitutional provision to make a distinction between the purposes for which debts may be incurred: the wholly or partially self-supporting character of public service is not recognized, with the result that there has been raised a barrier to municipal ownership; there is nothing to prevent large funded debts being incurred for current expenses, which makes possible shifting to future taxpayers' burdens which should be borne by the present.

In the way of constructive proposals, the au-

thor recommends alternative measures adopted elsewhere, particularly those found in Massachusetts, New Jersey, Indiana, and Saskatchewan. He concludes that it would seem desirable to substitute a combined legislative and administrative control in which it would be the function of the legislature to pass laws general in nature, leaving flexibility to meet the exigencies of any occasion to a competent state board or official.

This is an excellent study of a subject of timely interest. In view of the inaccessibility of municipal financial statistics in Illinois, the writer deserves special credit for undertaking the collection of data on such a subject.

MARTIN L. FAUST.

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THE BRITISH CIVIL SERVICE PERSONNEL ADMINISTRATION. By Morris B. Lambie. A Reprint from House Document 602, 70th Congress, 2d Session. United States Government Printing Office, Washington, 1929. 66 pp.

This report, prepared by the author for the personnel classification board of the federal government, is an exceedingly informative document on the system of personnel administration under the government of Great Britain. Mr. Lambie was well equipped both by study and by practical experience for the task he was asked to perform, and he has performed it well.

The report is descriptive and interpretative rather than critical. In concise terms it portrays the governmental machinery and the administrative processes through which one of the most efficient civil services of our time is managed. While the report is not intended as a treatise on the British government, the opening section, with its admirable chart, does more to clarify the organization of that government than many a volume of abstract discussion of the English political system that one finds on library shelves. Other sections deal with classification, recruiting and appointment, competitive and non-competitive examinations, promotion, salary determination, superannuation, sick leave, vacation practices, removal, Whitleyism, the industrial court, and general privileges and restrictions upon civil servants.

Although Mr. Lambie did not set out to make a comparative study, he nevertheless wrote for American readers and quite naturally brought out many points of similarity and of contrast between the British system of personnel adminis-

tration and the American system. The similarities, one finds, are more in the problems with which personnel administration has to deal than in the methods of dealing with them. The British approach to personnel affairs is more conservative than ours and in many ways less mechanical. This is especially true in the field of classification. In the British civil service a small number of broad classes are recognized, whereas in the United States civil service classifications set up a large number of narrowly-defined categories. So, too, one finds the British civil service examination a broad test of capacity, whereas the typical American civil service examination is designed primarily to discover specific technical equipment for the job to be filled.

Every one who is interested in the practical side of public administration, especially every one who is concerned in any way with public personnel administration, will find Mr. Lambie's report a most valuable work of reference.

WILLIAM C. BEYER.

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SURVEY OF THE SHERIFF'S DEPARTMENT OF THE COUNTY OF LOS ANGELES. By the Bureau of Efficiency of the County of Los Angeles, Los Angeles, California, 1929. Pp. 221, multi-graphed.

The Bureau of Efficiency of Los Angeles County is a staff agency attached to the civil service department under a secretary and director who is also chief civil service examiner. The present incumbent of this office, Sam J. Chappel, has been instrumental in inaugurating a series of county investigations which have been carried on through this bureau by Mr. Harry Scoville, efficiency engineer. Mr. Scoville was former city manager of Monrovia, California, and has for many years been an active participant in movements designed to better public administration in Southern California.

After an introductory chapter on police organization in general, there follows a list of ninety-two specific recommendations. Probably the most interesting part of the report is a section containing one hundred and twenty-nine items headed as "Observations." "There is no modern, up-to-date budgetary control scheme in effect in the department at present." The *modus operandi* system of crime detection is not developed. "Political interferences are constantly hindering the most effective work of the constabulary in criminal matters." "We are

impressed with the fact that advance information frequently leaks out on criminal investigations which indicates to us a lack of proper disciplinary control." "We disapprove the disciplinary scheme of the department." The lack of departmental educational facilities is deplored. "There should be a manual of procedure prepared for the constabulary of the county." "All kinds and sorts of outside pressure is constantly brought to bear to secure appointments and transfers in the sheriff's department." "The sheriff should adopt and put into effect a comprehensive and practical plan for the gradual development of scientific research such as latent fingerprints, chemistry, microscopy, topography, guns, ballistics, and automobile tire identification."

The reviewer approaches reports of administrative investigations with a certain suspicion that the investigator may have been under pressure to use the white-wash brush. The above quotations have been selected at random to demonstrate that such was not the case in the present instance. Mr. Scoville is to be congratulated upon his ability to temper adverse criticism with a combination of constructive suggestion and a phraseology which disarms the natural resentment arising from criticism. This is the

type of investigation that will in the long run achieve more than reports couched in terms indicative of blunt self-righteousness.

The reader should not, however, gain the impression that the sheriff's department of Los Angeles County is a living example of administrative stupidity. The report shows that on the whole it is a reasonably well-run agency, judged from contemporary standards of police administration. It has grown like Topsy with the characteristic growing pains. While Los Angeles County has expanded in the last few years to a community of 2,100,000, the sheriff's office has absorbed the local constabulary and become a force of about one thousand persons, administering prison facilities comparable in size to many state penitentiaries. It would indeed be surprising if such an administrative organization did not need adjustment at several points.

In addition to valuable photographs of the jail and detention camps, the student of public administration will be pleased to find several organization charts. Much statistical material relative to the handling of prisoners should be of interest to the criminologist.

JOHN M. PFIFFNER.

University of Southern California.

REPORTS AND PAMPHLETS RECEIVED

EDITED BY E. K. OSTROW

- *Librarian, Municipal Administration Service*

Parking and Garage Problem of the Central Business District of Washington, D. C.—Prepared under the sponsorship of the Automobile Parking Committee of Washington, 1930. 81 pp. The Committee presents here an exhaustive report dealing with the automobile terminal and parking problem in the capitol city. Material is presented which permits the drawing of competent conclusions with respect to parking regulations and facilities both present and future, in the central business district. The report is liberally illustrated with maps, diagrams, and photographs. (Apply to the Automobile Parking Committee, Washington, D. C.)



Specifications for Road Construction, Concrete Highway Bridges, Culverts and Other Highway Structures.—Board of County Road Commissioners, Wayne County, Michigan, 1930. 39 pp. A practical manual of instructions to bid-

ders and specifications covering a wide range of highway structures is found in this report. (Apply to the Board of County Road Commissioners, Wayne County, Michigan.)



County Aid Specifications.—Highway Commission, Trenton, New Jersey, 1930. 220 pp. This manual provides complete specifications for county highway construction including the information for bidders, conditions governing the approval of specifications and the award of contracts, general contract provisions, construction details and the specifications for material. (Apply to the Highway Commission, Trenton, New Jersey.)



Proceedings of the Sixtieth Annual Conference on Highway Engineering.—University of Michigan, Ann Arbor, 1930. 340 pp. This is a valuable collection of papers by leading authori-

ties on highway transportation and engineering, traffic control and related subjects. (Apply to the College of Engineering, University of Michigan, Ann Arbor.)

*

Increasing the Capacity of American Highways.—Sidney D. Waldon, 1930. 34 pp. An address before the Society of Automotive Engineers, Hotel Pennsylvania, New York City, advocating the construction of trunk line facilities within cities and metropolitan areas with greater coördination and coöperation between local, state and federal authorities.

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The Value of Engineering Supervision of Pavement Construction.—Department of Public Works, Detroit, Michigan, 1929. 54 pp. A report on the advantages obtained in the city of Detroit from 1923 to 1929 through inspection of contract paving construction under the supervision of the city engineer. Charts and specifications are included in the report. (Apply to the Department of Public Works, Detroit, Michigan.)

*

Proposed Ten-Year Program for Street Widening.—Detroit, Michigan, 1930. 18 pp. This report, which was presented to the City Council by the Department of Public Works, City Plan Commission, and the Rapid Transit Commission, outlines the means of financing a ten-year program for financing and widening the major thoroughfares of the city. (Apply to the Common Council, Detroit, Michigan.)

*

Ways and Means to Traffic Safety.—National Conference on Street and Highway Safety, Washington, D. C., 1930. 62 pp. Recommendations of National Conference on street and highway safety, including findings of all conference committees and of general meetings of the conference held in 1924, 1926 and 1930 as summarized and approved by the third national conference, May 27-29, 1930. (Apply to the National Conference on Street and Highway Safety, 1615 H Street, N. W., Washington, D. C.)

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Safety Code for Brakes and Brake Testing.—Bureau of Standards, Washington, D. C., 1930. 5 pp. The Bureau of Standards presents here a model code based on careful experimentation, to regulate brakes and brake testing of motor vehicles. (Apply to the Superintendent of

Documents, Government Printing Office, Washington, D. C. Price, 5 cents.)

*

Civic Pittsburgh.—J. C. Slippy, Pittsburgh, 1930. 46 pp. In the third edition of his book, Mr. Slippy has included the first organization chart of the county government of Pittsburgh, a brief statement of the functions of each county office, and important financial data covering county affairs. It is intended to serve as a reference work for students, civic organizations and interested citizens. (Apply to Mr. J. C. Slippy, Pittsburgh, Pennsylvania. Price, 50 cents.)

*

American Civic Annual. Vol. II.—Edited by Harlean James, Executive Secretary, American Civic Association, Washington, D. C., 1930. 340 pp. The material in the second volume of the American Civic Annual falls under four main headings: (I) The Nation as a Whole, including national parks, the housing problem, and the federal city; (II) Regional Planning Progress; (III) Work in the States, including state planning and parks, famous highways, state capitols, and roadside improvement; and (IV) Progress in the Cities and Towns, including planning, civic improvement, notable public structures, and planned college campuses. A new feature is a Who's Who of Contributors in addition to the Who's Who in Civic Achievement. A large section of the book is given over to city planning accomplishments, a series of articles on the Federal City, regional progress in New York, Chicago, Los Angeles, Lucas County, Ohio and Cleveland. (Apply to the American Civic Association, Washington, D. C. Price, \$3.00.)

*

Housing Conditions in Denver.—Published by the City Club of Denver, May, 1930. 19 pp. This report of the Social Welfare Committee of the Denver City Club presents the facts of living conditions in the city. Cumulative neglect and poorly enforced ordinances have created conditions of filth, insanitary situations and lowered moral tone, which tend towards a high percentage of juvenile delinquency, crime, disease. Conditions under the present administration have not been improved, and the City Club feels that it is time to take cognizance of the problem, in order to clear up some of the results of the past neglect and prevent the possibility of the problem growing to even larger proportions in the future. (Apply to the City Club of Denver, Colorado.)

Housing in Pittsburgh.—The Pittsburgh Housing Association, Pittsburgh, 1930. 16 pp. The first annual report of the Pittsburgh Housing Association deals with the inspection work carried on by the Association, a brief summary of existing conditions and the progress made through coöperation with the city's inspectors, social case-work agencies, public health nurses and civic and commercial organizations, is given. (Apply to the Pittsburgh Housing Association, 401 Granite Building, Pittsburgh, Pennsylvania.)

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The Housing Problem in the United States.—By Lawrence Veiller, New York, 1930. 31 pp. This reprint from the *Town Planning Review* of England is an interesting summary of America's housing problems, with a brief description of what is being attempted by way of solution. (Apply to the National Housing Association, 105 E. 92nd Street, New York City. Price, 50 cents.)

✱

Survey of the Erie High Schools.—Erie County Taxpayers' Association, Erie, Pennsylvania, 1930. 99 pp. This is a study of all the facts entering into the location and capacities of the various high schools in the city, with special regard to the probable population growth. (Apply to the Erie County Taxpayers' Association, 116 W. 10th Street, Erie, Pennsylvania.)

✱

Progress of the Public Schools, 1924-1929.—William J. O'Shea, New York. 168 pp. The Superintendent of Schools for the City of New York presents this report as a summary of the accomplishments of his five years in office. The emphasis is on the comparison of conditions in 1924 and 1929. Dr. O'Shea believes that "a consideration of the progress of the schools during an extended period, say for five or ten years, has the very great advantage, among others, of showing the phases of our work in which progress has been made and the extent of such progress, more clearly and definitely than is possible by a year to year appraisal." (Apply to the Board of Education, New York City.)

✱

The Cost of Local Government in Larimer County, Colorado.—By G. S. Klemmedson, Fort Collins, Colorado, 1930. 84 pp. This thorough study of county revenues and expenditures is used as a basis for recommending such improvements in administration as improved handling of

records and accounts, suitable system of budgeting, centralized purchasing and regulation and control of related debts. (Apply to the Colorado Agricultural College, Experiment Station, Fort Collins, Colorado.)

✱

Report on General Trends in State Government Expenditures in Colorado.—University of Colorado, Boulder, 1930. 25 pp. This is an analysis of the trend of state expenditures for major activities with adjustments on the basis of the 1913 dollar. It shows that highway construction, education, and public welfare account for ninety per cent of the total increase in state expenditures between 1914 and 1928. (Apply to the University of Colorado, Boulder, Colorado.)

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Assessors' Manual.—Wisconsin Tax Commission, Madison, Wisconsin, 1930. 184 pp. The Wisconsin Tax Commission, in connection with its duty of supervising the assessment of general property, has prepared a manual of procedure sufficiently broad in its treatment to be of value to assessors in all types of taxation districts. (Apply to the Wisconsin Tax Commission, Madison, Wisconsin.)

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Kansas City Firemen's Pension Fund.—Kansas City Public Service Institute, Kansas City, Missouri, 1930. 65 pp. (Mimeographed.) This study was made by the Public Service Institute at the request of the Police and Fire Committee. A report on the present system, which is considered to be in an unsound financial condition, together with recommendations for a new system of pensions for the city's firemen are the main features. There are two appendices: one is a tabulation of the firemen's pension fund annual income, 1908-1929, the other is the firemen's pension fund annual expenditures, 1908-1929. (Apply to the Kansas City Public Service Institute, Kansas City, Missouri.)

✱

Water Bureau Survey.—Report of the Subcommittee of the Committee on Finance, Chicago, Illinois, 1930. 138 pp. A useful collection of information on the financial administration of municipal water departments including data on ratemaking and the advantages of metered services. (Apply to Alderman John S. Clark, Chairman, Committee on Finance, Chicago, Illinois.)

JUDICIAL DECISIONS

EDITED BY C. W. TOOKE

Professor of Law, New York University

Airports—Power to Lease for Operation.—In the recent case of *The Concordia-Arrow Flying Service Corporation v. The City of Concordia* (Kansas, 289 Pac. 955) the question was for the first time directly presented as to the constitutionality of a statute authorizing municipalities which have acquired airports to lease them to private individuals for operation. (Kans. Laws 1929, ch. 5.)

It had already been decided in Kansas, as previously noted in this REVIEW (Vol. XVIII, No. 6, p. 409, June, 1929), in the case of *State v. City of Coffeyville* (127 Kans. 663, 274 Pac. 258), that in the absence of express authorization a municipality may not sublet its aviation field for operation.

The opinion in the Coffeyville case was filed on February 9, 1929, and the legislature of that state in recognition of the expediency, in the present stage of airport development, of permitting municipalities to operate their airports under a leasing arrangement with competent private individuals, promptly, on March 13 following, enacted the statute now in question which conferred upon municipalities the power found to be lacking.

The City of Concordia having acquired an airport and deeming it "not advisable for said city to operate said airport" entered into an agreement, in conformity with the authority conferred by the statute, with The Concordia-Arrow Flying Service Corporation whereby the corporation leased the same for a nominal rental and undertook to operate and maintain an approved airport. The mayor of the City of Concordia having refused to execute the contract and lease on the ground of the unconstitutionality of the statute, the lessee corporation brought this original proceeding in mandamus to compel such action.

So far as is here pertinent, the principal objection to the statute was that the purpose to be accomplished was not a public purpose and that funds of the city raised by taxation could not be used to subsidize a private undertaking. In disposing of this contention, and upholding the

validity of the statute and the proposed action of the city, the court indicated the close analogy between public airports and harbors, docks, wharves and other water frontage facilities and concluded that the mere leasing of the property did not operate as a surrender of the control of the airport under the police power.

In view of the existence of statutes of the character just discussed in many of the states and the widespread use of leasing as a means of operation and maintenance of municipal airports, it is believed that the decision of the instant case will tend to settle such doubt as may have existed with reference to the validity of this mode of operating municipal airports.

In connection with the case just discussed a recent decision of the Supreme Court of New Jersey may well be noted (*Stern v. Mayor and Aldermen of Jersey City*, 150 Atl. 9). In this case the governing body of Jersey City had authorized the leasing of certain land to the Jersey City Airport, Inc., for an airport.

The statutes of New Jersey expressly authorized municipalities which had acquired lands for airport purposes or used "lands heretofore acquired for other public purposes and now being used for airport purposes" to lease said land to any person, firm or corporation. While the validity of this statute was not objected to nor brought in question, it was contended that the particular lands involved were not of the character authorized to be leased thereunder.

The land in question had been filled in by the city in connection with other land acquired with riparian rights and had been used for airport purposes for some time prior to the lease in question.

Although the court in holding that this property was comprehended by the statute and therefore could be leased by the municipality did not directly pass upon the validity of the statute, the decision may be taken as an indication that upon this question the New Jersey court would come to the same conclusion as the Supreme Court of Kansas in the case discussed above.

Billboards—Regulations Under the Police Power.—The Supreme Court of Indiana in *General Outdoor Advertising Co. v. City of Indianapolis*, 172 N. E. 309 (1930), in an able opinion by Judge Martin reviews the legal principles underlying the regulation of billboards. The decision in itself is not especially significant, as the only question before the court was whether existing billboards, which did not deleteriously affect the health, safety, morals or welfare of the community, could be legislated out of certain restricted sections of the city without compensation. The court held that such billboards are not nuisances *per se*, and that while they may be subject to prospective ordinances restricting their location, nevertheless, when once established and properly maintained the owners are entitled to compensation upon their appropriation by the public authorities. Without a provision for compensation, an ordinance purporting to abolish existing billboards that are not nuisances in fact violates the constitutional guarantees of private property.

The question before the court involved the discussion of the validity of restrictive ordinances upon the erection and maintenance of billboards based upon the principle of zoning, and the court indicated that so far as the ordinance was prospective, the city under the police power can prevent the erection of billboards within 500 feet of any park, parkway or boulevard. In taking this position, the court applied to billboards the well established principles of law applicable to all structures which, while not nuisances *per se*, may by their location and relation to surrounding property become nuisances in fact.

The opinion of Judge Martin, however, is a contribution to the literature bearing upon this important question of billboard regulation. The court discusses the fundamental principles governing billboard regulation in relation to present-day needs and carefully collates the American precedents. The opinion is a painstaking summary of the law as it stands today and marks out the legal limitations within which a much needed social reform must proceed.

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City Manager—Mandamus to Compel Appointment.—The Supreme Court of Georgia in *Board of Commissioners of City of Manchester v. Montgomery*, 153 S. E. 35, holds that the city officers upon whom devolves the duty to select a city manager may be compelled by mandamus

proceeding to exercise this power of appointment. The peculiar facts of the case are thus stated by the court:

The commission form of government for said city has been in operation since January, 1924. The present members of said board have been in office since January, 1926. Said act provides that "the commissioners shall select and appoint a city manager within thirty days after their election and qualification, who shall be the administrative head of the municipal government of said city, and who shall be responsible to the commission for the efficient administration of all the departments of said city. He shall be appointed without regard to his residence, political beliefs, or affiliations. During the absence or disability of the city manager the commissioners may designate some properly qualified person to execute the functions of the office." (Sec. 12.) The act requires the city manager to give a good and sufficient bond payable to the commissioners and their successors in office, and conditioned to well and truly perform his duties as such manager, the amount of said bond to be fixed by the commissioners and approved by them. No city manager has been selected and appointed by said board at any time since the establishment of the commission form of government for said city.

Upon this state of facts Montgomery and five other resident taxpayers filed their petition to compel the commissioners to select and appoint a city manager. The commissioners answered that no demand had been made upon them to make such an appointment, and further that one of their own number had been selected and was acting as city manager. The court held that the office of commissioner and that of city manager were incompatible under the statute (Civil Code 1910, sec. 886). As to the point that no demand had been made the court said:

In a petition brought by residents and taxpayers of this city, against these commissioners, for mandamus to compel them to perform the above duty of selecting and appointing a city manager for the city of Manchester, it is not necessary to allege any demand upon them for the performance of such duty. Where the duty sought to be enforced is one of a public nature, affecting the people at large, and there is no one specially empowered to demand performance, no demand is necessary as a condition precedent to the issuing of a writ of mandamus to compel performance. Public duties should be discharged without waiting for the prod of a judicial writ. In such cases the law itself stands in lieu of a demand and omission to perform the required duty in place of a refusal. (Cases cited.) Especially is this true when the conduct and action of officials is equivalent to refusal to perform the duty required. Anything showing that the defendants do not intend to perform the duty is sufficient to warrant the issuance of a mandamus.

The court also held that the exception based upon the ground that the judgment in mandamus failed to designate any person entitled to the office or to fix the term or salary of the incumbent was without merit, as these matters lay in discretion of the commissioners. While their discretion is not subject to judicial control, the courts may require them to perform the duties imposed upon them by law.



Constitutional Limitations on Indebtedness—Refunding Bonds.—The Constitution of Oklahoma (Art. 10, sec. 26) provides that no county, city, town, township, school district, or other political corporation, or subdivision of the state, shall be allowed to become indebted, in any manner, for any purpose, to an amount exceeding, in any year, the income and revenue provided for such year, without the assent of three-fifths of the voters thereof, voting at any election, to be held for that purpose, nor in cases requiring such assent, shall any indebtedness be allowed to be incurred to an amount including existing indebtedness, in the aggregate exceeding five per centum of the valuation of the taxable property therein, to be ascertained from the last assessment for state and county purposes previous to the incurring of such indebtedness. This limitation applies to every subdivision of the state, or political corporations, except incorporated cities or towns, which may, as provided by section 27 of article 10 of the Constitution of Oklahoma, become indebted in a larger amount than that specified in section 26, for the purpose of purchasing or constructing public utilities, or for repairing the same, to be owned exclusively by such cities.

In *City of Anadarko v. Kerr*, 285 Pac. 975, the Supreme Court of Oklahoma had before it the question whether an issue of bonds for the refunding of a part of the valid outstanding indebtedness of the city would contravene this provision of the state constitution. In the instant case the outstanding bonds had been issued under section 27 of article 10, and the plaintiff, a resident taxpayer, claimed that, as the total indebtedness of the city would exceed the 5 per cent limitation when the amount of the proposed refunding bonds was added to the other indebtedness, the city had no power or authority to make such an issue.

In reversing a judgment of the lower court sustaining the claim of the plaintiff, the supreme court held that no additional indebtedness was

created by the refunding of a valid outstanding debt as the change was in form only and not within the inhibition of the constitution. In this decision the Oklahoma courts follow the great weight of authority of the other states where this question has been raised under similar constitutional limitations.



Municipal Bonds—Proceeds Charged With a Trust.—In *Stephens v. Bragg City*, 27 S. W. (2d) 1063, the Missouri Court of Appeals holds that moneys recovered on the city treasurer's official bond upon his default are to be held for those purposes only for which the lost funds had been raised.

The facts of the case are as follows: The city had voted, issued and sold bonds to the amount of \$21,000 for the purpose of establishing for said city water-works, electric lights and a city park; \$7,000 for each project. The money realized from the sale of these bonds went into the hands of the city treasurer, who defaulted and failed to account for all the money. A suit upon this bond was instituted by the city, and upon a compromise of that suit \$4,500 in money and some property was recovered by the city. The then city treasurer deposited this \$4,500 in the First National Bank of Caruthersville in the name of Bragg City. Out of this the city paid its attorneys who had been employed to prosecute the suit against McTarr and his bondsmen the sum of \$1,500, leaving \$3,000 on deposit in the name of Bragg City.

The plaintiff as a general judgment creditor of the city sought to garnishee these funds and the defendant city filed a motion to quash the levy and discharge the garnishee. In holding that the city had no power to use the money raised for a specific purpose for any other city purpose, the court said:

The fact that the city treasurer defaulted and the money deposited in the bank was secured as the result of a suit by the city upon the bond of the defaulting treasurer cannot change the duty of the city authorities relative to the use of this money. While it could deposit the money in the bank for safe-keeping in such a way as to place the city in the position of a general creditor of the bank in case of its failure, it could not by that act or any other act known to the law acquire to itself the right to divert this money to any other purpose than that for which it was voted by the people of the city. What the city authorities themselves could not do by their own voluntary act the city's creditors could not do for it under execution and garnishment proceedings.

Powers—Express and Implied—Repeal by Implication.—The Supreme Court of Iowa in *Van Eaton v. Town of Sidney*, 231 N. W. 475 (1930) had occasion to apply the elementary principles that municipal corporations have only those powers that are expressly granted or those that are necessarily or fairly implied therefrom or are incidental or essential to the declared purposes of the corporation, not simply convenient but indispensable, and that the exercise of any given power is necessarily limited by a legislative direction as to the method of its exercise. The Iowa statutes give to cities and towns the "power to purchase, establish, erect, maintain, and operate within or without their corporate limits, . . . electric light or power plants, with all the necessary poles, wires . . . machinery, apparatus, and other requisites of said works or plants" (Code sec. 1627).

This power in an individual case is to be exercised subject to the approval of the local electorate and when a majority of the voters have declared in favor of the purchase or erection of an electric light plant, the municipality may "issue bonds for the payment of the cost of establishing the same, including the cost of land condemned on which to locate them."

In the instant case, the town submitted to the electors a project to purchase the necessary equipment for such a purpose to be paid for solely from the net revenues to be derived from the operation of the plant; the plant and equipment to be mortgaged or pledged to the vendors to secure the agreed price to be paid. In no event was there to be any obligation upon the town to pay the moneys thus expended by means of bonds, taxation or by any kind of assessment against the taxable property of the town. Upon adoption of this proposition, the town in 1925 entered into a contract to purchase electrical machinery and equipment of a value in excess of fifty thousand dollars in strict compliance with the limitations of the order of approval and the ordinances enacted to carry out the plan.

The sole question before the court was whether the contract in question was valid. There would

be no doubt of its validity and that no indebtedness would be created by it, provided the legislature had expressly or impliedly conferred upon towns the power to purchase and finance electric light plants in this way. The supreme court of the state in affirming the decision of the lower court adjudging the contract invalid, pointed out that while the usual method of paying for such a plant by taxation would not be limited by a power to issue bonds therefor, no express power to purchase or erect an electric plant by the method adopted had been conferred upon the municipalities of the state, and that the power given to finance such plants by bond issues negated any implication of an implied power to do so by the method attempted.

In *Bragg v. Adams*, 21 S. W. (2d) 950, the Supreme Court of Arkansas holds that the grant by a later statute to the state board of health of the power to regulate hotels and inns took away any power previously existing in a municipality under the general welfare clause of its charter to license or regulate such establishments. The doctrine of the repeal of police powers by implication when a statute confers general regulatory powers covering the same field upon a state agency is now generally recognized.

A far more simple principle of the construction of municipal powers is that the same power may not be exercised by more than one municipal agency, and that when vested by statute in a given department of the city government, by necessary intentment it may not be exercised by the general legislative body of the municipality. In *S. J. Groves Sons Co. v. Berg, Mayor of Mt. Vernon*, 341 N. Y. Sup. 629, the Appellate Division of the Second Department applied this principle to avoid an ordinance adopted by the city council regulating the hours of blasting, upon the ground that the exercise of such power was committed to the local board of health by the charter. The principle of this latter decision is always to be applied whenever the delegation of the exercise of any power of the city is expressly vested in a special officer or in a particular committee or department.

PUBLIC UTILITIES

EDITED BY JOHN BAUER

Director, American Public Utilities Bureau

Disparity Between Electric Production Costs and Household Rates.—Anyone familiar with electric power companies is acquainted with the disparities between production costs and rates, the wide spread between rates charged to various classes of consumers, and particularly the high rates that fall upon the mass of household users. These great differences challenge the reasonableness of existing rate structures. They require thorough reconsideration of rates not only in the interest of the consuming public, but of the electric industry itself.

I have before me the 1929 statement of a public utility company which operates through typical southeastern territory, without serving any large city. Its total production costs amounted to \$655,718, of which \$262,809 was for current purchased, and thus included full costs of generation. The total electricity sold was 367,407,011 kwh. The production costs thus amounted to less than 2 mills per kwh. If to this figure were added depreciation, taxes, and interest for generating plant operated by the company, the total overall production cost would not exceed 5 mills per kwh. Including transmission costs, with maintenance, depreciation and interest on the lines, the aggregate cost per kwh. up to the point of distribution would not reach one cent per kwh.

As to rates, by far the largest class of consumption was commercial power—268,543,017 kwh., or about 73 per cent of the total sales. It provided \$4,164,559 gross revenues, or about 50 per cent of the total electric revenues. The average rate received by the company for this business was 1.5 cents per kwh., which includes, of course, higher rates for the smaller users, and lower rates for the larger. This average, however, furnishes but a moderate margin above the overall cost of generation and transmission.

The next largest group was residential and commercial lighting, which amounted to 45,497,823 kwh., and produced \$3,249,499 gross revenues, at an average rate of 7.2 cents per kwh. Note, first, the striking difference between this average rate and the base production and trans-

mission cost of less than 1 cent per kwh., and, second, the difference between the average of 7.2 cents for residential and commercial customers and the 1.5 cents average for commercial power.

SPREAD IN RATES

But the average of 7.5 cents paid by residential and commercial users consists of a wide range of rate elements. The ordinary domestic customer, using electricity for lighting and common appliances, pays 10 cents per kwh. A special schedule does make provisions for lower rates to stimulate larger consumption. For electric water heating or cooking, a rate of 2 cents per kwh. is available after the payment of \$2.40 per month as a fixed charge, and after the consumption of 200 kwh. at 3 cents per kwh. Thus, the large domestic users do reach a low rate, which stands in striking contrast against the 10-cent rate for the ordinary home user; a ratio of 5:1.

We are presenting these figures not because they are extraordinary, but because they are rather typical, and the rates are probably more favorable to small users than prevail in most localities outside of large cities. Note the striking disparities. There is, first, the great difference between base production and transmission, and the costs beyond. Suppose we allow 1 cent per kwh. for base costs, the total would be \$3,674,070, against \$8,401,180 total electric revenues. The public thus paid \$4,727,110 for distribution. The question arises whether this is not excessive, and whether distribution costs generally throughout the country have not expanded unduly. Base costs are mostly down to a low and highly economical level. But our impression is that the other costs have not been kept to rigid economic standards. Here, we believe, is the realm where reduction in costs should be made, and where active economy can be exercised to the advantage of the industry and the public at large.

We have pointed out repeatedly that the realm of distribution—beyond generation and transmission—will be found to be the field for possible

effective municipal ownership and operation. Unless the companies do cut distribution costs to the minimum, they will invite the establishment of municipal ownership of distribution. The municipalities would be able to effect economies through various coördinations, through keeping down salaries, and particularly through limiting the distribution properties. Can and will the companies prevent this latest municipal competition?

PYRAMIDING COSTS ON SMALL CONSUMERS

The gross discrepancy between high domestic rates and low base costs is due in large measure also to the fact that the various other costs are pyramided upon the small household users. This applies not only to ordinary operation, commercial and general expenses, but also to taxes and return on distribution properties. These costs are allocated but slightly upon the lower rate brackets, and are loaded heavily upon the small users. There is need not only for rigid economy and reduction in such costs, but thorough re-examination as to their allocation to different classes of users.

The point of view just presented was brought forward rather strikingly during the recent World Power Conference in Berlin, by the American ambassador, Frederick M. Sackett. He was a former electric utility man, but has been far and long enough removed from the American scene to acquire a proper perspective as to what is basically wrong. His address called attention to the glaring discrepancies to which we have referred, and challenged the industry to remedy the conditions to which he called attention.

Fortunately, the effort of Mr. Samuel Insull, perhaps the best known American public utility magnate, to edit or suppress Mr. Sackett's address, gave the remarks special news value, so they were spread vividly before the American public. There was not only the contrast in costs and rates, but the sharper contrast of personalities and their attitude to public matters. We present some salient parts of Mr. Sackett's address, which ought to be pasted in every manager's and magnate's office, to keep pointing the way to convey the benefits of low production and distribution costs to the mass of small users!

The growth and extension of the use of mechanical power is already the marvel of the scientific age through which the world is passing. There is no more direct aid to material progress than placing the facilities of electricity at the

easy disposition of a people and rendering it its most widespread use economically possible.

Cost and availability to the consumer are, therefore, the goals to be sought. . . .

It is a natural and proper function of such conferences as this to herald to the world the great achievements of the recent past. One finds that the marvelous growth of the power business and its increasing mechanical perfection has fired the imagination of many speakers. Each new invention or improvement has been enthusiastically described. The fact that we are dealing with the one great industry whose product is cheaper today than in pre-war times is stressed as proof of efficiency in management and operation until the layman is constrained to marvel at the perfection of the service wrought.

It is equally true, however, that one of the primary reasons for convening such a conference is to discuss and consider constructive criticisms in the field of its interests. As one who has shared the responsibilities of the early development of power service and has retained an interest in its welfare, I venture a suggestion in the hope of contributing to the betterment of this industry of power supply. To state the point concisely, *I know of no other manufacturing industry where the sale price of the product to the great mass of the consumers is 15 times the actual cost of production of the article sold.*

My purpose is to sharply define a weakness that calls for the keenest thought in your deliberations. *Until the power business is brought in line with other industries in the relationship of its cost of production to the price paid by the consumer of the product, there can be little justification for the thought that this great power industry is rapidly approaching its perfection.*

Whether electric current is produced from water power, with its stand-by plants, or by the modern steam units, you have by constant improvement driven down the bus bar cost of electricity until it can be fairly said that the economic station produces current at from 3 to 4/10ths of a cent a kilowatt hour. In most of the great centers of population, in America at least, the consumers pay for household service around 6 cents per kilowatt, 15 to 20 times its cost. Such a discrepancy between production cost and delivery price gives a wide field for the studies of the distribution engineer.

It is little satisfaction to the great mass of household consumers to point to the high construction costs required to serve the small consumer—to urge the large reduction in price that is made for quantity service through a single installation—or even to call the roll of the reductions in delivered price that have followed through the years. *The fact remains that there is an extraordinary margin between cost and sales price, to the reduction of which science may apply itself with the greatest benefit to the people as a whole.*

Perhaps the premises of this simple statement may be disputed. It may be argued that no such discrepancy exists. It may be excused or explained with the greatest ingenuity; but you who

are in this business should remember that among the users of your product—the class which is by far the greatest in number and the class which constitutes the basis of that public opinion which in the end judges and controls public utilities—is that vast body of men who every month pay a 6-cent charge in their households for an article which, we are constantly told, is being produced by efficient electric stations for three to four-tenths a cent. Such consumers naturally ask why? The explanation temporarily may appease them, but judgment and action are merely suspended as they look to conferences such as these to recognize the deficiencies in the progress of the art, and apply the correctives of science. . . .

POWER INDUSTRY SHORT OF PERFECTION

No one can scan the records of the rapidly lowered costs of producing electric power without amazement at the results achieved. There may still be progress to be made in lower producing costs, but after all the margin on which to work is barely a fifth of a cent a kilowatt-hour, which, when achieved by science and translated to the consumers' account, will be too small even to be of serious moment. *On the other hand, while distribution of electric power has been greatly improved both in quality and cost, there remains a margin between manufacture and sale so wide that in distribution methods and economies alone lie the actual hope of reaching the goals we have set of "cost and availability"*—goals on the achievement of which the greatest value of these conferences must be premised and which make the real appeal to public opinion.

I have taken occasion to draw this parallel between costs and sales prices with a view to a situation which should claim the attention of utility interests in America, where power development is almost exclusively in private hands. There exists in America a rapidly-growing body of public opinion, led by laymen of great ability, which is demanding governmental competition in rates with private power enterprise. So drastic is the demand that it vocalizes the thought that all water-power sources should be Government-owned and operated. This public clamor cites with enthusiasm the delivered costs of certain municipally-owned systems in neighboring countries as proof of the iniquity of charges for electricity by our privately-operated plants.

The conclusion is drawn therefrom that if our National Government owned and operated the power sites upon its navigable rivers, interconnected as they could be as one mighty system—the benefits of lowered costs would readily be transferred to the consuming public. There is no precedent on which this theory can be based, because our Federal Government has at no time engaged in the manufacture and sale of power. Only by experiment can public opinion be convinced as to the truth or falsity of the claims. Such an experiment as is being demanded involves a complete change in governmental policy in the methods of using and disposing of our natural resources of potential power. It

would change our national policies because it draws the Government on a large scale as an active competitor with private initiative.

The parallel just drawn showing the proportion of 15 to 1 between cost of the product and the sale price to the consumer would seem to indicate that the experiment of reducing costs by Government operation can be fully tried by limiting it to the operation of any modern steam plant with its distribution system; a complete experiment need not involve the subversive principle that the Government should own and operate the water-power sources for producing electricity.

COUNTERPART IN NO OTHER INDUSTRY

No amount of improvement in production costs, by any agency, promises economies of sufficient magnitude to permit the translation of benefits to purchasers, whereas all the virtues claimed by the advocates of Government operation can be convincingly determined through an effort in reducing costs of distribution. If this movement generally seeks an opportunity of securing lower rates for the small consumer and not solely subversive changes antagonistic to present investments in the public utility field the necessary actual experiment lies readily at hand. In the present state of the art the genuine effort should be encouraged.

It is the danger of the broader demand rising rapidly in America, and perhaps in other lands, that gives value to the suggestion that industrial leaders aided by science strive with renewed effort to conquer this ratio of 15 to 1 which prevails in the very business which this great conference represents, but which finds no counterpart in any other important industry.

One may not agree with Ambassador Sackett as to the assumed subversive influence of extending government ownership to water power development, but he does point out clearly that, from the standpoint of production, comparatively little can be gained for the ordinary household, and that the reduction in costs must come in the field of distribution,—and, we add, in more equitable allocation of costs between small and large users.

REDUCE DISTRIBUTION COSTS

How bring about the needed readjustment? We may be unduly optimistic, but we believe that the shift is under way. Mr. Sackett's address is the best of signs, and leaders in the industry largely agree with him, that distribution costs and domestic rates must come down, for the benefit of the business as well as in fairness to domestic users. The desired transition, however, may be greatly expedited by energetic action of the commissions, the improvement in policies and methods of rate control, active participation by state and municipal officials, and

particularly by permitting every municipality to establish its own electric system.

The most powerful factor in the transformation is the present existence of a goodly number of successful municipal plants which have kept distribution costs down and have maintained much lower domestic rates than prevail generally among private companies. The experience of Jamestown, New York, which we surveyed recently in this Department, cannot be laughed off. The plant has more than paid its way, and its general domestic rate is 4 cents per kwh., dropping to 3.25 cents after the first 50 kwh. per month, and then to 2.5 cents after the first 100 kwh. per month. Where is there a company

schedule which, in a city of 60,000 people, makes electricity so readily available to the masses of people? Can the companies meet this standard? If not, they will eventually be forced to abdicate the field of distribution, for it is there, not in production, that the Jamestown municipal system stands far ahead of most private companies.

During the next few months we expect to review the experience and practice of the leading municipal electric plants—not to theorize on municipal ownership, but to show what standards must be attained by private companies to continue in possession of electric distribution and to head off municipal ownership movements.

MUNICIPAL ACTIVITIES ABROAD

EDITED BY ROWLAND A. EGGER

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Administrative Reorganization in Roumania.—Within the last eight months the administrative organization, both central and local, of the Kingdom of Roumania, has undergone a rearrangement and reconstitution which, for comprehensiveness and thoroughness, is unprecedented in recent reform movements. The law adopted late in 1929, and under the terms of which reorganization has recently been completed, was drafted chiefly by two university professors—Negulesco, of the University of Bucharest, and Alexiano, of the University of Cernauti—and, stranger to relate, accepted substantially *in toto* by the Roumanian Parliament. Its most important features may be summarized as follows:

CENTRAL ADMINISTRATION

1. The general regulation of the organization of all ministries according to principles applicable to their common characteristics.

2. The reduction of the number of ministries, retaining only the Interior, Foreign Affairs, Finance, Justice, Education, Army, Agriculture and Lands, Industry and Commerce, Public Works and Communications, Labor, Safety and Social Assurance.

3. The simplification of administrative procedure by the exact statement of the powers and responsibilities of functionaries.¹

4. Internal rationalization with reference to duplication of functions and functionaries.²

5. The abolition of all administrative commissions, and the reallocation of their functions to the appropriate ministry.

6. The deconcentration of the central administration. Seven ministerial directorates are established under the law for the regions of Bucharest, Cernovitz, Kichinau, Clouj, Craiova,

¹ This definition of duties it is understood will not extend to minor functionaries, or those not exercising considerable discretionary authority.

² Prior to rationalization the government of Roumania employed approximately 3 per cent of the country's total population. The figures for several other countries are very interesting: Bulgaria, 2.2; Switzerland, 1.7; Poland, 1.5; Holland, 1.1; Italy, 0.53; Prussia, 0.42; Japan, 0.16.

Jassy, and Temichoara. These regions are not legislative areas, and have no representative bodies. They are headed by local ministerial directors, who are under-secretaries of state. The local administrative services of all ministries except, of course, Foreign Affairs, Justice, and Army are deconcentrated for these regions.

7. The reestablishment of the old administrative hierarchy.

8. The organization of the Presidency of the Council of Ministers, to assure the coördination of public services.

9. The division of departments, or ministries, into directorates, directorates into services, services into sections, and sections into bureaus.

10. The creation of a "staff" legal department, attached to the Ministry of Justice.

11. The creation of a permanent disciplinary commission for public functionaries of the central administration, attached to the Presidency of the Council.

LOCAL ADMINISTRATION

Even more drastic are the reforms effected in local administrative organization:

1. The law grants virtual home rule to the municipalities of the kingdom. The powers of the centrally appointed prefect are those of general oversight and surveillance. His plenary powers are entirely negligible.

2. The village is established as the basic unit of local administration. Whereas, the rural commune, created by the law of 1925, was governed by representatives of villages, its creation was felt to be artificial and unsuited to purposes of local administration. Under the new law, each village has its own administrative machinery, and the rural commune is considered only an association of villages.

3. Villages of less than 600 inhabitants are permitted to establish direct administration, with an organization virtually identical with the old New England town. There are 7,550 villages in Roumania falling under this section of the law.

REGIONALISM

The kingdom, under the terms of the law, is divided into seven regions of administration, corresponding with the areas of the seven ministerial directorates mentioned above. The administrative organs of the regions are:

1. The Council of the General Association of Departments, as the regions are designated. This body is the regional legislature, and is composed of representatives of the departmental councils (areas of prefecture) and municipalities, according to a proportion established by law based indirectly upon population.

2. The administrative organization proper is headed by the president, two vice-presidents, and a secretary, with such added personnel as its administrative functions may, in their development, demand.

The region is a juristic person, and its functions are unlimited by the law. It is intended to serve a double purpose; as a representative of departmental unions it will assist in guiding the processes, and determining the degree, of central devolution, and, on the other hand, will deal with those problems which, in the opinion of the Regional Council, are of common interest and importance throughout the region. Except for the absence of functional definition and limitation, the law is not appreciably dissimilar in its basic idea to the recently proposed Regional District Act of New Jersey.¹

The remainder of the law relates chiefly to state trading and public utilities. It enforces an actuarial basis of accounting and finance upon such enterprises, and appreciably enhances state control along all lines. The law also establishes adequate budget procedure for the central government, and creates a bureau of the budget attached to the Finance Ministry.

The section of the law relating to the creation of regions excited considerable comment in Parliament, and was opposed as unconstitutional in view of Article I of the Constitution, which proclaims the kingdom a national state, unitary, and indivisible. The point might have been argued with equal force from the extension of autonomy to municipalities which the law provides. Although the point is entirely theoretical, it is important to observe that the criterion of federalism, as Dr. Robert Treat Crane once trenchantly reminded the writer, is whether or not the func-

tions divided are those appropriately appertaining to a central government. And only in an advisory capacity is the region which this act establishes contemplated to function in connection with the central government. Its organic disjunction is complete. Its primary concerns are those larger matters of local interest, insusceptible to treatment by individual local authorities.

The organization set up by the new law is, generally speaking, entirely in accord with the latest scientific thought in the matter of administrative structural arrangement. But good administration is more than good organization. There are numbers of questions and difficulties which offer themselves even to the most casual observer. What of the absence of either a thoroughgoing merit system of civil service appointments or a high tradition of public service which secures competent and conscientious public servants? What about the protection of minorities in Roumania under the devolution provided in the act?

The results achieved in Roumania will, however, be closely observed if for no other reason than that the administrative organization, at least in part, represents the principles of the expert largely uncontaminated, or uncorrected, by the compromises of political necessity. At the same time, if they do not immediately usher in the administrative millennium, this probably will not constitute a very damaging comment upon the principles themselves.—*Revue Internationale des Sciences Administratives*, June, 1930.



Woolwich's Housing Estate.—In addition to the extensive housing projects engaged in by the London County Council, the metropolitan boroughs of the Administrative County of London are also authorized by law to provide for the proper housing of their inhabitants. In pursuance of this function the metropolitan borough of Woolwich has constructed one of the most progressive housing estates to be observed in the metropolitan area.

The question of housing estates versus reconstruction and rehabilitation in already built-up areas was discussed in these columns some months ago. It should be mentioned that in a number of boroughs in London the problem is only academic; new areas of habitation must be provided if the increasing congestion is adequately to be met. It is little wonder that in industrial Woolwich, the westernmost of the

¹ For the New Jersey Act see *The American City*, August, 1930, p. 115.

boroughs, this problem should be felt with greatest acuteness. Under the leadership of Sir Arthur Bryceson, town clerk of Woolwich, one of the "grand old men" of the English local government service, the problem of public housing has been met in decisive and masterful fashion.

Upon the occasion of the completion of the last structure on the estate the Eltham Housing Estate was formally opened by the Hon. Arthur Greenwood, Labor minister of health, late last year. This estate, comprising some 334 acres (approximately one-half as large as the City of London), was acquired by the borough council in 1919. Under the 1920 Housing Act, the borough constructed 448 houses on this estate. Under the 1923 act, 60 more structures were erected, while under the 1924 statute 1,678, buildings completing the estate, were added. The total number of houses on the estate is 2,186. The houses are classified as follows:

Class	No. Houses	Net Rent (wk.)
"A"—Living room and 3 bedrooms.	1,446	\$2.60
"B"—Living room, parlor and 3 bedrooms	698	\$3.00
"C"—Living room, parlor and 4 bedrooms	42	\$3.35

Each house contains, in addition, a bath and kitchen.

The streets and houses on the estate are lighted entirely by electricity. Except for slow combustion stoves in the kitchens, 847 of the houses are "all electric." The electrical equipment includes heating plugs, radiators, and a wash boiler. There are no chimneys or flues in the houses except for the combustion stove. Electric cookers may be rented from the borough electricity department for 14 cents a week; electric irons are rented for 2 cents a week. The charges for electricity are extremely low—30 cents a week flat rate plus 1 cent a unit for all current consumed. Electric radiators and other equipment to a value of about twenty dollars are supplied to tenants payable on the installment plan at 12 cents a week. It should be mentioned, in this connection, that the municipal electricity supply for Woolwich is publicly-owned and operated, and is one of England's model generating plants.

There are four London County Council schools on the estate, two of which are already completed. There is a resident doctor and two surgeries are

maintained. A site at the center of the estate has been set aside for a welfare center shortly to be erected. This has become necessary because of the increased attendance upon the council's maternity and child welfare service, which numbers about 40,000 at the present time.

The architect for the estate is John Sutcliffe, borough engineer. Many of the houses have been built by direct labor. The architectural layout is, on the whole, pleasing, and Mr. Sutcliffe has avoided the drab monotony which is often consequent upon wholesale residential construction.

It should be mentioned that negotiations are at present under way for the acquisition of additional adjacent lands, and the area of the estate is contemplated virtually to be doubled within the next decade. The Eltham estate is significant for many reasons, not least of which is as an indication of the vitality and sensitiveness of the London boroughs with reference to a vexing problem which might have been left entirely to the County Council. There can be no doubt but that "borough consciousness," however little it may mean elsewhere, denotes something very substantial at least in certain quarters of the city on the Thames.—*The Eltham Housing Estate* (brochure).

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The British Institute.—The 1930 summer meeting of the British Institute of Public Administration, convened at New College, Oxford, from July 11 to 14, last, was counted as one of the most delightful sessions of that organization.

While all of the papers prepared for the conference were most acceptable, three in particular provoked extraordinary comment and discussion. The session on "The Relation of the Official and His Authority" was of particular interest from an American viewpoint. It appears that the delicacy of the overtones and nuances in the Macaulayesque waltz which goes on between the official of the local government service and his council is equalled only by the indefiniteness which marks the power and authority of each. To a literalist, bred in the managerial tradition, the arrangement seems somewhat akin to companionate marriage, with the trial element uppermost. The Britishers were slightly shocked by the clarity with which the I. C. M. A., in its familiar protocol, outlined the nature of this relationship, and were almost skeptical when former Manager Brownlow indicated the broad prerogatives which an American manager is

accorded and expected to exercise. Concerning another aspect of this question, the opinion was expressed by several councilors present that successful administration was in inverse proportion to the gravity with which council committees regarded their directorial powers, particularly in matters of technical administration.

The problem of filling higher posts in the service was also discussed. Shall higher posts be filled by appointment from without or promotion from within? The conference was in substantial agreement that the entire question resolved itself, in specific cases, to the evaluation of the efficiency element which might be foremost in appointments from outside, and the morale of the service which naturally would prompt internal promotion. The open-mindedness of what was essentially a gathering of bureaucrats on this question was most stimulating. It was agreed that a pronouncement of a general rule in the matter was impossible, and that the decision in particular instances must be left to the pragmatic spirit which is, self-confessedly, an extremely important element in the English psychology.

Sir Henry Bunbury, accountant-general of the Post Office, in a very charming essay on "Rationalization," presented another of the really important problems in present-day administration. Rationalization, he reminded the Institute, is essentially an attitude of mind, a point of view, which is an indispensable antecedent to successful administrative reorganization. Rationalization is basically what it has always been—the elimination of certain classes of wastes. There is no reason to think that public administration cannot make decisive gains from the utilization of job analyses, cost accounting, and similar instruments by which industry generally has increased its efficiency.

The single regrettable feature of the Institute was that the limits of its session did not permit this latter topic to be pursued into quarters in which many of the slightly liberal Socialists present might have defined their position with regard to rationalization which increases unemployment.

American visitors to the Institute who participated in its discussions included Dr. John A. Fairlie, Mr. and Mrs. Louis Brownlow, and Mr. Clinton Rogers Woodruff, and the editor of this department.

The papers discussed at this meeting appeared in the July issue of *Public Administration*, the official organ of the Institute.

A New Proposal for French Regionalism.—

The assiduity with which proposals for regionalization have been introduced in the French Deputies and Senate for the past several decades would seem to indicate that, if only from the operation of the law of averages, ultimately something substantive may emerge from that architectural monstrosity which stands, paradoxically enough, across from the *Place de la Concorde*.

The latest reformatory measure emanates from M. Bordeaux, *Senateur*. M. le *Senateur* is concerned over the increasing powers which the prefects of the central government insidiously have gathered unto themselves. He lapses into exclamation points over "les excès de zèle des préfets de la République," and sounds the ominous warning that even as a similar excess was one of the contributory factors in the downfall of the Empire, the Republic may not expect to pursue this policy without serious difficulty.

Behind this excited tirade of M. Bordeaux there is a very considerable element of truth. Leon Bourgeois almost a half-century ago called attention to the progressive devitalization of French communal political life, due to the increased assumption of responsibility by the central ministries and legislature. There is, furthermore, every indication that, whatever purpose the myriads of small communes in France once served, they have long since ceased to have any reality as social or economic communities, and that the development of regional facilities, based upon the growth of a regional domestic life and economy, has been hampered by the absence of any legislation save the abortive *syndicats* statutes, to the decided detriment of the communes themselves.

The remedy of *le Senateur* is about as simple, and quite as primitive, as the recent Republican tariff. He proposes the immediate reconstitution of all the *arrondissements* existing prior to the decree of September 10, 1926, as juristic persons. Each *arrondissement* is to be a syndicate of the communes within its circumscription. This *arrondissement* is to be the area of prefecture. The regional budget is to be prepared by the prefect and voted by the council, with apparently no change in the prefect's present powers in connection with the insertion of items. As currently, the prefect is to be the chief executive and administrative officer of the region. The powers of the *arrondissement* are not mentioned,

but it seems assumed that it shall be able to perform any functions which the council, composed of representatives of the communes, shall confer upon it in accordance with the laws and decrees of the central government.

Less important to the substantive portion of the act is that section which provides for adequate mayoral salaries. It is also not quite clear precisely what the creation of a special decorative order for local officials and politicians has to do with the project.

This department expressed considerable skepticism concerning the proposals of last year for which M. Tardieu promised immediate and triumphant enactment. It is probable that this measure will receive no more illustrious treatment than suppression in the committees of the Senate or Deputies. Certainly, far more scientifically drafted, far-reaching, and progressive measures on the same topic have disappeared in less ceremonious fashion.—*Revue Municipale*, July, 1930.

NOTES AND EVENTS

EDITED BY H. W. DODDS

A Correction.—On page 284 of our May number we stated that the committee appointed to consider a five-year budget for Pembroke, Massachusetts, “appears to have issued no report.” This assumption was in error. The committee did issue a report as of February, 1930.

✱

Professor W. B. Munro to Remain in California.—Professor William B. Munro, who has been teaching municipal government at Harvard for the past twenty-six years, has retired from the service of that university and has become an all-the-year resident of Pasadena, California, where he has been spending a portion of each winter since 1920. Dr. Munro hopes to spend the next few years in the revision of his various textbooks, but will also be associated with the California Institute of Technology, where he has been since 1925 a member of the executive council. The courses in municipal government at Harvard are being given this year by Dean A. C. Hanford and Dr. Miller McClintock.

✱

A New Course in City Planning will be instituted this fall in the evening session of the School of Business of the College of the City of New York by Wayne Heydecker, associate director of the Regional Plan Association.

The course will be in the nature of a study of the elements of the city plan and the technique of city planning practice. It will consider city planning powers, preparation of plans for street layout, rapid transit lines, location of buildings, zoning regulations, and systems of financing.

✱

Dr. Wallace C. Murphy of the Political Science Department of West Virginia University has been granted leave of absence to make a survey of local and county government in Texas under the auspices of the University of Texas. The work has been financed by the Laura Spelman Rockefeller Foundation. Local government is to be studied in its political, economic and sociological aspects.

✱

Advisory Council to the Mayor Organized in Milwaukee.—An Advisory Council to the

Mayor, to advise with him on questions of public and of city-wide interest which may from time to time engage the attention of citizens and which may call for governmental action, has been organized in Milwaukee. It had its first meeting on March 7 of this year, committees are studying civic problems and the work of the council is under way.

The council was organized by the Milwaukee Civic Alliance at the request of Mayor Daniel W. Hoan. The constituent organizations of the Milwaukee Civic Alliance (service and civic clubs) and of the Associated Advancement Association of Milwaukee are each entitled to one membership in the Advisory Council. Other civic organizations whose fundamental purpose or nature permits them to coöperate with the community at large without political, partisan or selfish objective are also permitted to appoint or elect one member to the council. At present the membership is approximately thirty.

An executive board determines the pertinence of subjects for action by the Advisory Council, subject, however, to appeal to the council itself.

Meetings are held monthly.

LEO TIEFENTHALER.

✱

More About the Indiana Billboard Decision.—An Indiana act of July 27, 1920,¹ authorizes the board of park commissioners of cities of the first class (Indianapolis only) to “regulate, restrict and forbid” the location of buildings or devices within 500 feet of any park or boulevard, which the board deems to be “injurious to the public health, safety, morals or general welfare.” But “no lawful business being conducted upon such adjacent lands at the time of acquiring the same shall be prohibited or abated without a fair valuation and due and full compensation.”

On July 8, 1922, the Indianapolis board of park commissioners enacted an ordinance prohibiting the erection or maintenance of any billboard or advertising sign within 500 feet of any park and ordered the removal of all billboards and advertising signs which were located within 500

¹Acts 1920, p. 105.

feet of any park at the time of the passage of the ordinance.

The General Outdoor Advertising Company alleged that this ordinance is invalid because (1) it failed to make provision to compensate the company for the destruction of its business; (2) it imposed unusual, unnecessary and oppressive restrictions and prohibitions upon its business; (3) the law of 1920 and the ordinance of 1922 are both invalid as being in violation of Sec. 1, Art. 21, of the state constitution concerning the taking of property without just compensation and the 14th amendment of the U. S. Constitution relative to taking property without due process of law.

In *General Outdoor Advertising Company v. City of Indianapolis*, the supreme court sustained the law and partly sustained the ordinance. In its opinion, the court held that:

1. The courts will not interfere with the exercise of the police power by a municipal corporation unless there has been a clear abuse of discretion or unless the law or ordinance by virtue of which the action is taken is unconstitutional.

2. Under the police power, municipal corporations, either by implied or express statutory authority, may limit the location of billboards if the regulation has a reasonable tendency to protect the public safety, health, morals or general welfare and does not unnecessarily invade private property rights.

3. Under a liberalized construction of the general welfare purposes of state and federal constitutions there is a trend to foster an æsthetic and cultural side of municipal development—to prevent a thing that offends the sense of sight in the same manner as a thing that offends the senses of hearing and smelling, but citizens must not be compelled to give up rights in property solely for the attainment of æsthetic objects.

4. As social relations become more complex, restrictions on individual rights become more common. Restrictions which years ago would have been deemed intolerable and in violation of the property owners' constitutional rights are now desirable and necessary.

5. Inasmuch as the law provides for compensation, billboards which were erected prior to the passage of the ordinance cannot be abated unless compensation is paid therefor.

6. Neither the law nor the ordinance violates any provision of the state or the federal constitution.

CHARLES KETTLEBOROUGH.

Detroit's Recall Election.—Detroit's laboratory in democracy furnished another episode to students of government in its emergency choice of Judge Frank Murphy as mayor at the special recall election September 9. Mayor Charles Bowles, who assumed office last January but was recalled July 22 by a majority of 31,000, ran second in the list. George Engel, candidate of the progressive forces, but without organization, though vigorously touted by the *Free Press* and the *News*, was a close third. John W. Smith, former mayor, ran fourth in a field of four principal candidates.

Time will tell the real results, but the immediate interpretations are of interest. Bowles has been for six years the political "hero" of Detroit anti-Catholics—a rather negative personality whose best appearance is on the political stump and who enjoys nothing more than making campaign speeches. After being twice defeated for nomination to the mayoralty, and running once on "stickers," he was elected last November in a vote of protest against John W. Smith, former mayor. The mistakes of his administration became apparent early last spring and the recall was voted, as stated.

Michigan's recall provisions are a compromise, hence in this case the recalled official automatically became a candidate against the field in the special election, despite the adverse vote of July 22. After weeks of controversy and efforts of citizens and civic organizations by mutual understanding to limit the field of candidates against Bowles in order that an even break might be secured, the political ambitions of various candidates and their friends resulted in the field of seven. Under pressure, three of the seven withdrew before the eleventh hour and Bowles ran against Murphy, Smith and Engel. The Murphy candidacy was initiated by the Hearst organ, the *Times*. As a judge of the Recorder's Court since 1924, Murphy developed political strength which was capitalized by himself and the *Times* under the peculiar conditions indicated.

Engel has served Detroit during the past twenty years in various appointive positions, including city controller, commissioner of public works and the civil service commission. He was recognized as an experienced, capable official, though politically colorless and therefore a poor bet under the conditions prevailing. Murphy, on the other hand, like Bowles, is a prize platform orator who was followed by thousands of ac-

claiming worshippers during the short campaign.

While the *News* and the *Free Press* furnished most of the Engel campaign by their excessive publicity, the *Times* did the same for Mr. Murphy. In a split field the popular candidate got a narrow plurality in a vote of about three-fifths of the total registration.

Murphy's victory is flavored with a social appeal similar to that of Bryan in 1896 and "Al" Smith in 1928. The Murphy-Hearst campaign sought to create the impression of "Big Business" oppressing the people. Murphy's entry no doubt accounts for the surprising vote of Bowles, whose stock had receded rapidly after the recall election. Charges of underworld connections and gang support were frequently made, but the public evidently is still much in the dark as to just where the connection is.

W. P. LOVETT.

Detroit Citizens' League.

✱

Second Japanese Conference on Municipal Problems.—When the Tokyo Institute of Municipal Research six years ago began the publication of its monthly magazine, *Municipal Problems*, the significance of the venture was described in the following words:

"In Japan, where a process of industrialization and commercialization is rapidly taking place, municipal problems constitute the most important social, as well as the most vital national problems. While social consciousness is not yet aroused to a realization of the grave importance of the problems directly relating to municipalities, there is an acceleration of social dangers in municipal affairs, far surpassing those of other civilized countries. This fact alone indicates an urgent need for a scientific study of municipal problems in Japan more than in any other country in the world."

As a step to the realization of this objective, the Osaka Civic Association called a First National Conference on Municipal Problems in 1927. The Second National Conference, which is to be held in October, was summoned by the Tokyo Institute of Municipal Research. Governmental specialists, civic organizations, municipal officials and interested private individuals have been invited. The program has been carefully prepared and it is earnestly hoped that the conference will mark a new era in cooperative endeavor of municipalities for meeting their mutual problems.

The subjects covered in the three-day program are as follows:

1. Control and supervision of the urban communities contiguous to a large city.
2. Control and supervision of street transportation.
3. Special assessments.

KOICHI HASEGAWA.

National Institute of Public Administration.

✱

Crisp County's (Ga.) Publicly-Owned Electric Light and Power System in Contest with Georgia Power Company.—Something over seven years ago, some public-spirited men in Crisp County, Georgia, dreamed and planned to harness the Flint River in their county. The county commissioners worked on the proposition of a county-owned power plant and distributing system and finally succeeded in establishing such a system. The rates existing at the time for light and power they felt were high. They had great obstacles to overcome. For instance, our state law says, "No county or municipality may bond itself for more than 7 per cent of the taxable property values."

The commissioners had to put the project to the people. The people had to elect men to the legislature to grant the county permission to bond itself for sufficient funds to construct the plant. While this was going on the Georgia Power Company twice reduced its rates.

In 1928 the Cordele city commission and the Crisp County commissioners made an offer to enter into a discussion of price and terms to take over by purchase the Georgia Power Company's lines of transmission and their holdings in the county, to which the company declined to give any consideration. The \$1,250,000 county plant was opened August 1, 1930, the rates being 10 to 15 per cent lower than the Georgia Power Company's rate for the same service. The company at once reduced its rates to meet the county's, then a day or so later issued an announcement of a 50 per cent cut from the then existing schedule, which, inclusive of its service charge, made the company's rates about 15 per cent less than those of the Crisp County plant.

Instead of pleasing the residents of the county as they expected, the company's reduction did just the reverse. It also stimulated representatives from other communities served by the Georgia Power Company, to ask why Cordele and Crisp County should be so favored.

The Georgia public service commission has

called upon the company to show cause why other cities served by the Georgia Power Company should not receive the same rates. Before the hearing was held the Power Company filed a petition for an injunction to prevent such an inquiry. It assumes the position that the Georgia Power Company had a prior right to serve Crisp County; that the municipally-owned plant was an act of confiscation, that the Georgia service commission has only the right to fix maximum rates, and has no right to inquire as to reason or cause for low rates in certain localities.

MRS. J. D. SWAGGERTY.

Atlanta League of Women Voters.



City Managers in Niagara Falls.—Niagara Falls, N. Y., population 1930, 76,000, a manufacturing center of no slight importance, has had city managers since 1916. Its principal interests are its electro-chemical and related power-using industries, and its tourists, who flock there to see the Falls and to visit Canada. "The tourists have gradually become less of a dominating factor, but are still a large element in our prosperity," said the editor of the *Niagara Falls Gazette*, who added, "Ours is one of the foremost industrial centers of New York State."

Niagara Falls has had three city managers in the past fourteen years. The first was Ossian E. Carr, who later became city manager of Springfield, Ohio, and more recently manager of Fort Worth, Texas. Mr. Carr came in the early part of 1916 and remained until the middle of 1918. "He was rigorous and energetic and had his own ideas as to what the functions of a city manager should be. While willing to take general directions from the council, his job, as he saw it, was to manage, carrying out the instructions of the council in his own way, and not looking to the council members for supervision of the details of his office. "This," continued the editor, "did not agree with the theory of the new mayor, who believed that the mayor and council were to do all the directing and the manager was a hired man, employed to do just as he was told." This difference of view led to Mr. Carr's leaving, and in his place was appointed Edwin Fort, an engineer from Brooklyn, N. Y., with a good record and a willingness to follow the directions of the council. He remained till the end of Mayor Whitehead's administration, and four years longer, under the next mayor. W. D. Robbins, another engineer, replaced him when a

new administration came in, and is the present city manager.

The mayor and four councilmen constitute the governing body, and hold office for four years. The manager form adopted is that provided for under Plan C of the State Act permitting cities to adopt certain types of government, and does not attempt to eliminate national party lines in local elections. The nonpartisan idea came at a later date, and is found in the more recent improved charters of Cincinnati, Ohio; Rochester and New Rochelle, N. Y. The result of its omission from the charter of Niagara Falls is to make it a common occurrence for the council to change managers if the new administration is of a different complexion from the old, instead of keeping him as an experienced executive and adviser under succeeding boards of directors, as happens frequently in the case of managers in private business. Manager government, it appears, became the established form in Niagara Falls some years since, so much so that when its opponents attempted to force a return to the old mayor-council plan their proposal was decisively defeated at the election then held.

Not many months ago, the council, acting on a petition of the local railway company for an increased street car fare, voted to grant a rate of two tokens for fifteen cents in place of the old five-cent fare. This increase was opposed by the two members of the council most recently elected and stirred bitter opposition from a body of citizens including a labor group whose enmity dates back to the time when the railway company broke up the local union of employees. This group, led by a fighting lawyer named Thibodeau, unable to oust the administration in any other way, circulated petitions for an election to change the government back to the old form. If there had been provision in the charter for the use of the recall, this opposing group would have attempted to remove the objectionable council members, by forcing them to stand for election, the issue in that case being squarely joined as to the desirability of the persons involved as city officials. As it is, they are seeking to accomplish the retirement of the mayor and two councilmen by changing the entire form of government. The matter is now in the courts, and there seems to be some doubt as to its outcome. So far, the council has declined to call a special election, and seems to have the better of the controversy in its legal aspects.

ERNEST S. BRADFORD.

GOVERNMENTAL RESEARCH ASSOCIATION NOTES

EDITED BY RUSSELL FORBES

Secretary

Recent Reports of Research Agencies.—The following reports have been received at the central library of the Association since August 1, 1930:

Civic Affairs Department, Indianapolis Chamber of Commerce:

The Budgets and Tax Levies of the School City of Indianapolis for 1931.

The Stamford Taxpayers' Association:

Stamford Garbage and Rubbish Incineration.



Civic Affairs Department, Indianapolis Chamber of Commerce.—The Department completed analyses of the budgets of each local unit of government for 1931 during September. It was able to work harmoniously with officials of all departments and as a result a great many of its recommendations and suggestions were accepted and written into the new budgets. Reductions from proposed levies of more than twelve cents on each one hundred dollars of assessed property were effected, amounting to more than \$800,000 in taxes. The total rates in each township division of Indianapolis will be from three to twelve cents less in 1931 than in 1930. Among recommendations urged were: Centralized buying of county supplies, including the purchase of supplies for outdoor poor relief; merging of a multitude of funds in the civil city tax levy into a single fund; more rigid control in the practice of making appropriations in addition to the annual budgets; centralization of authority and responsibility over financial affairs of all civil city departments in the city controller, including merging of all accounting departments in his office; speeding up of the machinery for payment of civil city bills in order to take advantage of commercial discounts for cash payment; adoption of the school city budget on a school year basis, prior to the beginning of each school year; and resistance of taxpayers of Indianapolis against further reduction of the school city's share of the state common school fund.

The department has issued a statement showing the effect of proposed plans for state income taxation upon a number of business concerns.



Schenectady Bureau of Municipal Research.—

The Bureau has revived a preliminary study of the department of assessment and taxation and is studying the advisability of urging the local adoption of a state law providing for a single-headed department of assessment and taxation in place of the present elective board of four members. A committee of prominent bureau members has been set up to aid the board committee in its work.

Conferences on the school space survey are still being held with educational authorities. It seems likely that the main premise of the Bureau's survey will be accepted and will play a vital part in future school building programs. The principal finding of the study has been that the present condition of overcrowding in the schools is a temporary one, and that after reaching the peak in a few years, school population will begin to decline.

The capital budget commission, of which the managing director of the Bureau is secretary, has continued its work on the income side of the capital budget and has drawn up tentative projections of future income which are now being discussed. The commission has also engaged in the revision of the current expenditure side of the budget and has recently been occupied with the study of revised budget estimates which have been re-submitted to the commission by department heads. The Bureau has offered its services to the commission in making a survey of the whole municipal revenue system. Members of the city council desire strongly to revise the revenue system and it is expected that substantial improvement will result in this situation.

Although the Commission is set up primarily to control municipal debt policies, it is now apparent that it will be of great assistance in

pointing the way to local re-organization and economies.

The Bureau, in conjunction with the New York State Mayors' Conference is arranging for an extension of the municipal radio series so successfully inaugurated last year. The series which will be given over Station WGY, Schenectady, will have as guests many prominent municipal government authorities.

✱

Stamford (Connecticut) Taxpayers' Association.—The Association has just issued the report of a study of proposed additional incinerator needs for Stamford. The report concluded that the proposed expenditure of \$170,000 for new incinerator units did not appear to be necessary. In answer to the question, "What better use can be made of the present facilities?" operating

suggestions were made which provided for the steady and continuous day-light delivery of refuse to the incinerator as a substitute for the present arrangement of having all deliveries made to the incinerator before the middle of the afternoon. Arguments in favor of the new incinerator were then answered. The possible preventable capital investment on the basis of the lowest bid offered, and the possible preventable additional operating expense was then computed to be \$30,000 annually.

A delegation from the Association made a trip to Portland, Maine, to investigate the operation of council-manager government in that city. A bulletin has been issued which gives the expressions of some of the influential citizens of Portland with regard to the operation of council-manager government there.

STATEMENT OF THE OWNERSHIP, MANAGEMENT, CIRCULATION, ETC.,

Required by the Act of Congress of August 24, 1912.

Of NATIONAL MUNICIPAL REVIEW, published monthly at Concord, New Hampshire, for October 1, 1930.

STATE OF NEW YORK, COUNTY OF NEW YORK, SS.

Before me, a notary public, in and for the State and county aforesaid, personally appeared H. W. Dodds, who, having been duly sworn according to law, deposes and says that he is the editor of the NATIONAL MUNICIPAL REVIEW and that the following is, to the best of his knowledge and belief, a true statement of the ownership, management, etc., of the aforesaid publication for the date shown in the above caption, required by the Act of August 24, 1912, embodied in section 411, Postal Laws and Regulations, to wit:

1. That the names and addresses of the publisher, editor, managing editor, and business managers are:

Publisher, National Municipal League, 261 Broadway, New York, N. Y.
 Editor, H. W. Dodds, 261 Broadway, New York, N. Y.
 Managing Editor, None.
 Business Managers, None.

2. That the owner is: The National Municipal Review is published by the National Municipal League, a voluntary association, incorporated in 1923. The officers of the National Municipal League are: Richard S. Childs, President; Carl H. Pforzheimer, Treasurer; Russell Forbes, Secretary.

3. That the known bondholders, mortgagees, and other security holders owning or holding 1 per cent or more of total amount of bonds, mortgages, or other securities are: None.

4. That the two paragraphs next above, giving the names of the owners, stockholders, and security holders, if any, contain not only the list of stockholders and security holders as they appear upon the books of the company but also, in cases where the stockholder or security holder appears upon the books of the company as trustee or in any other fiduciary relation, the name of the person or corporation for whom such trustee is acting, is given; also that the said two paragraphs contain statements embracing affiant's full knowledge and belief as to the circumstances and conditions under which stockholders and security holders who do not appear upon the books of the company as trustees, hold stock and securities in a capacity other than that of a bona fide owner; and this affiant has no reason to believe that any other person, association, or corporation has any interest direct or indirect in the said stock, bonds, or other securities than as so stated by him.

H. W. DODDS,
Editor.

Sworn to and subscribed before me this 22nd day of September, 1930.

MARY DONOVAN,
Notary Public.

[SEAL]

(My commission expires March 30, 1931.)

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THE LEAGUE'S BUSINESS

Nomination of Officers for 1930.—The committee on nominations has submitted the following slate of candidates, to be elected at the annual business meeting of the League, Hotel Statler, Cleveland, on Monday evening, November 10:

For President—Richard S. Childs, New York.

For Vice Presidents—Charles A. Beard, New York; H. L. Brittain, Toronto; Louis Brownlow, Fair Lawn, N. J.; Harry F. Byrd, Winchester, Va.; Samuel S. Fels, Philadelphia; John M. Gries, Washington, D. C.; A. R. Hatton, Northwestern University; John R. Haynes, Los Angeles; Hamilton Holt, Rollins College; A. Lawrence Lowell, Harvard University; C. E. Merriam, University of Chicago; W. B. Munro, Pasadena, Calif.; J. C. Nichols, Kansas City; Frank L. Polk, New York; Thomas H. Reed, University of Michigan; Chester H. Rowell, Berkeley, Calif.; Miss Belle Sherwin, Washington, D. C.; Mrs. F. Louis Slade, New York; Silas H. Strawn, Chicago; and A. Leo Weil, Pittsburgh.

For Council—terms expiring in 1933—Morris L. Cooke, Philadelphia; Robert T. Crane, University of Michigan; George O. Fairweather, Chicago; Homer Gard, Hamilton, Ohio; Joseph P. Harris, University of Washington; Louis P. Head, Dallas; Arthur W. Macmahon, Columbia University; William B. Moulton, Chicago; J. Henry Scattergood, Philadelphia; and Laurence A. Tanzer, New York.

These nominations have been made by the following committee, appointed by President Richard S. Childs:

Harold S. Buttenheim, editor, *The American City*, chairman

Richard Crane, Westover, Va.

George H. Hallett, Proportional Representation League

Edward M. Martin, Public Affairs Secretary, Union League Club of Chicago

Walter Matscheck, Kansas City Public Service Institute

*

Baldwin Prize Contest.—Professor Edwin A. Cottrell, Leland Stanford University, acting as chairman of the League's committee on prizes, has selected the following as the subjects for the 1931 Baldwin prize essay contest:

Private vs. Municipal Ownership and Operation of Airports

State Controlled Metropolitan Government vs. Home Rule

Allocation of a Proper Portion of State Gasoline Tax to Municipalities

The Relationship between Efficient Government and the Rates for Fire and other Insurance

Expanding the Aid and Influence of the Federal Government in Municipal Affairs

*

Portland Prize for 1931.—A prize of \$25 is awarded annually to an undergraduate student in Reed College, Portland, Oregon, for the best essay on a phase of municipal government and administration. The National Municipal League acts as the custodian of the fund from which the prize is derived and annually selects the judges of the contest.

The 1930 award goes to Herman Herst, Jr., who wrote an essay on the subject: "A Study of the Causes of Portland Suburban Growth." The judges of the contest were: James M. Reinhardt, University of Oregon; William G. Bonelli, Occidental College; and Russell M. Story, Pomona College.

RUSSELL FORBES, *Secretary*.